

Planning and Development Control Committee

Agenda

Tuesday 8 July 2025 at 7.00 pm

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

Watch the meeting live: youtube.com/hammersmithandfulham

MEMBERSHIP

Administration:	Opposition
Councillor Nikos Souslous (Chair) Councillor Nicole Trehy (Vice-Chair) Councillor Patrick Walsh Councillor Ross Melton Councillor Callum Nimmo Councillor Lydia Paynter	Councillor Adrian Pascu-Talbure Councillor Jackie Borland

CONTACT OFFICER: Charles Francis
Governance and Scrutiny
Tel: 07776 672945
E-mail: charles.francis@lbhf.gov.uk

Public Notice

This meeting is open to the public and press but spaces are limited. If you'd like to attend please contact: charles.francis@lbhf.gov.uk. 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 3 July 2025

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

8 July 2025

<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 - 9
	<p>To approve as an accurate record, and the Chair to sign, the minutes of the meeting of the Committee held on 10 June 2025.</p>	
4.	12 WELLESLEY AVENUE, LONDON W6 0UP, RAVENSCOURT, 2024/02699/FUL	10 - 56
5.	HAZEL HOUSE, SULGRAVE ROAD, LONDON W6 7QF, ADDISON, 2024/03159/FUL	57 - 81

6.	ROYSTON HOUSE, SULGRAVE ROAD, LONDON W6 7QR, ADDISON, 2024/00251/FUL	82 - 107
7.	SUFFOLK HOUSE, SULGRAVE ROAD, LONDON W6 7QS, ADDISON, 2024/00252/FUL	108 - 134
8.	NORFOLK HOUSE, SULGRAVE ROAD, LONDON W6 7QT, ADDISON, 2023/01255/FUL	135 - 161
9.	517 - 523 FULHAM ROAD, LONDON SW6 1HD, WALHAM GREEN, 2024/02201/FUL	162 - 203

London Borough of Hammersmith & Fulham



Planning and Development Control Committee Minutes

Tuesday 10 June 2025

PRESENT

Committee members: Councillors Nikos Souslous (Chair), Nicole Trehy (Vice-Chair), Ross Melton, Patrick Walsh, Callum Nimmo and Lydia Paynter

Officers:

Matt Butler (Assistant Director of Development Management)

Ieuan Bellis (Team Leader)

Allan Jones (Team Leader Urban Design and Heritage)

Neil Egerton (Team Leader)

Anisa Aboud (Principal Planning Officer)

Tom Scriven (Deputy Team Leader)

John Sanchez (Deputy Team Leader)

Gareth Doherty (Senior Transport Planner)

Zoe Trower (Senior Transport Planner)

Mrinalini Rajaratnam (Chief Solicitor - Property and Planning)

Charles Francis (Clerk)

Before the start of formal business, the new Chair, Councillor Nikos Souslous, provided his thanks to the previous Chair, Councillor Omid Miri for being an attentive and effective Chair. And for his work on key issues such as Housing and Housing Needs.

The Chair provided his thanks to the former members of the Planning Committee, Councillor Florian Chevoppe-Verdier, former Vice-Chair and Councillor Alex Karmel for their years of service, as well as their expertise and contributions.

The Chair also introduced the new members of the Planning Committee, Councillors Callum Nimmo, Lydia Paynter and Jackie Borland (who had provided apologies) to their first meeting.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Jackie Borland and Councillor Adrian Pascu-Tulbure.

2. **DECLARATION OF INTERESTS**

Councillors Nicole Trehy, Callum Nimmo and Lydia Paynter declared non-pecuniary interests in Item 4 – Kings Mall Shopping Centre, King Street – 2024/01370/FUL as they were Trustees of the Lyric Theatre, Hammersmith but confirmed they would be considering the application with an open mind. They remained in the meeting and participated and voted on the item.

3. **MINUTES**

The minutes of the previous meeting held on 2 April 2025 were agreed as an accurate record.

4. **KINGS MALL SHOPPING CENTRE, KING STREET, LONDON W6 0QS, HAMMERSMITH BROADWAY, 2024/01370/FUL**

Please see the Addendum attached to the minutes for further details.

As stated in item 2 above Councillors Nicole Trehy, Callum Nimmo and Lydia Paynter declared non-pecuniary interests in Item 4 – Kings Mall Shopping Centre, King Street – 2024/01370/FUL as they were Trustees of the Lyric Theatre, Hammersmith. They remained in the meeting and participated and voted on the item.

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

Anisa Aboud provided a presentation on the application. In the absence of any objectors, a representative of the Applicant 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 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 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. WESTFIELD LONDON SHOPPING CENTRE, ARIEL WAY, LONDON, SHEPHERD'S BUSH GREEN, 2024/03073/FUL

Anisa Aboud presented the item. There were no speakers.

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 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 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.

6. HOLIDAY INN EXPRESS, 295 NORTH END ROAD, LONDON W14 9NS, WEST KENSINGTON, 2024/02648/FUL

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

Tom Scriven provided a presentation on the 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 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 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.

7. LAND TO THE NORTH OF THE A40 (THE WESTWAY) ADJACENT TO THE TRANSLATION AND INNOVATION HUB (I-HUB), 84 WOOD LANE, LONDON W12 0BZ. COLLEGE PARK AND OLD OAK, 2025/00389/FUL

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

John Sanchez presented the item. A representative of the Applicant spoke in support.

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 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 Heads of Terms of the legal agreement or proposed conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.

Addendum

Meeting started: 7:00 pm
Meeting ended: 8:00 pm

Chair

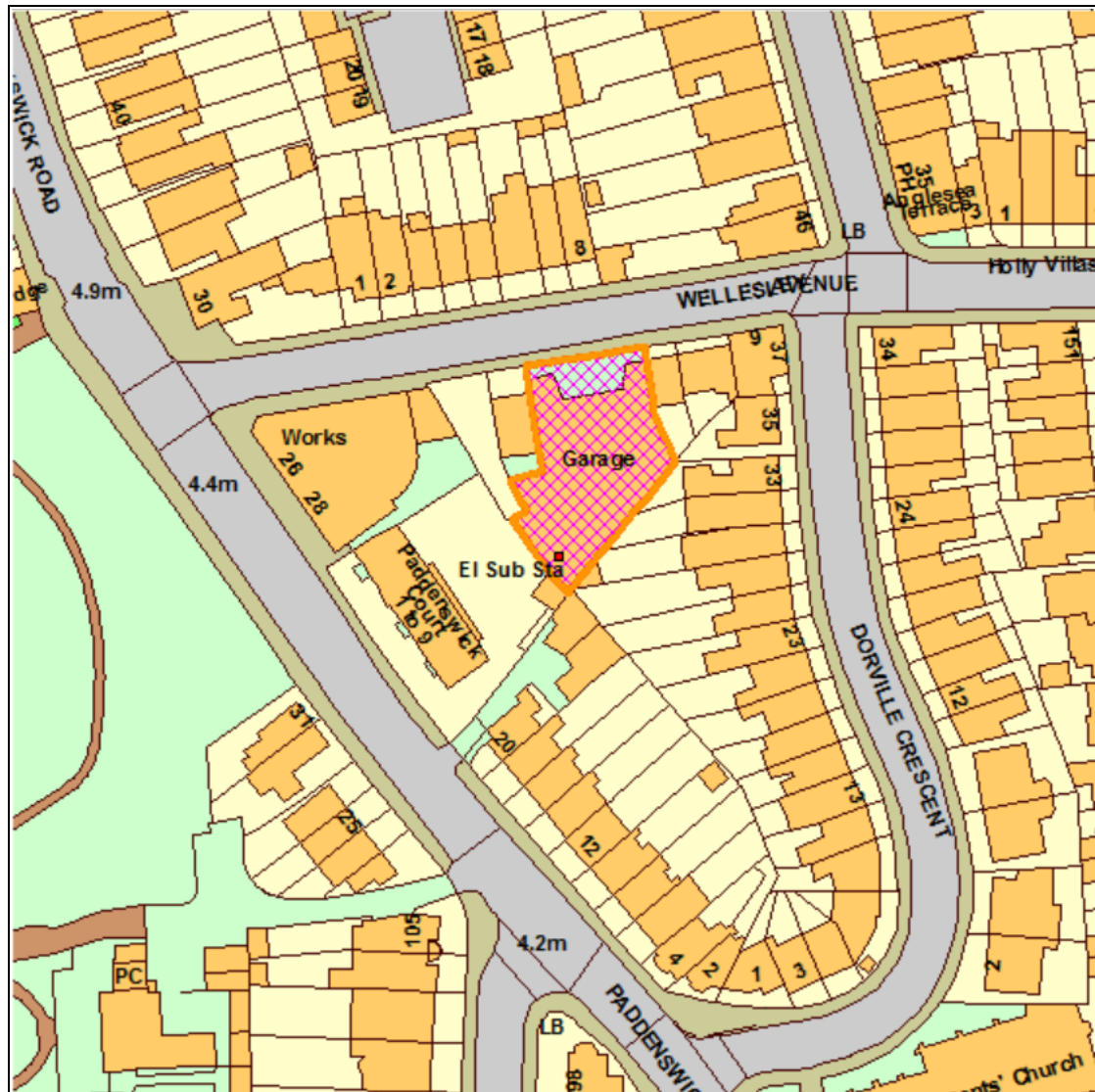
Contact officer: Charles Francis
Committee Co-ordinator
Governance and Scrutiny
Tel 07776 672945
E-mail: charles.francis@lbhf.gov.uk

Agenda Item 4

Ward: Ravenscourt

Site Address:

12 Wellesley Avenue London W6 0UP



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For identification purposes only - do not scale.

Reg. No:

2024/02699/FUL

Case Officer:

Anisa Aboud

Date Valid:

24.10.2024

Conservation Area:

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

Committee Date:

08.07.2025

Applicant:

Latifia Investments Ltd.
C/O Agent

Description:

Demolition of existing car repair workshop (Class B2); erection of part one, part two and part three storey building comprising of ground, first and second floor levels in connection with the creation of 3no single family dwellinghouses (Class C3) to northern elevation of the site and erection of a single storey detached building to southern elevation of the site to use as a single family dwellinghouse (Class C3); reinstatement of public pavement by removal of vehicular crossover; removal of 1no substandard on street parking bay and formation of 4no replacement on street parking bays; associated landscaping.

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

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

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

630-90, 630-401D, 630-402D, 630-403E, 630-404E, 630-405C, 630-406B, 630-407, 630-408B, 630-409A, 630-410A, 630-411A, 630-412, 630-413A, 630-414A, 630-415, 630-416B, 630-420B, 630-421B, 630-422B,

Documents titled:

Arboricultural Impact Assessment Report prepared by AECOM dated March 31 2017, Daylight and Sunlight Impact Assessment prepared by Eight Versa dated 09/10/2024, Drainage Strategy Report prepared by Price & Myers dated September 2024 V.2, Energy Assessment prepared by Eight Versa dated 10/10/2024 V. 2, Flood Risk Assessment prepared by Price & Myers dated September 2024 V.2, Interior Daylight Analysis prepared by Eight Versa dated 09/10/2024 V.2, Sustainability Statement prepared by Eight Versa dated 11/10/2024, Transport Statement prepared by Mayer Brown dated September 2024, Whole Life Carbon Comparison Study prepared by Eight Versa dated 14/10/2024,

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

- 3) 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).

- 4) The development shall not commence 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.

To ensure a satisfactory external appearance and to prevent harm to the character, appearance and setting of the Ravenscourt and Starch Green conservation area, in accordance with Policies DC1, DC2, DC4 and DC8 of the Local Plan (2018).

- 5) 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, access route 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.

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).

- 6) 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.

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

- 7) 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.

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).

- 8) Prior to first occupation of the residential units hereby permitted, details of the refuse storage facilities for the refuse and recyclable materials, shall be provided for each of the residential units. All the refuse/recycling facilities shall be retained thereafter in accordance with the approved details.

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

- 9) The development hereby permitted shall not be occupied or used until the flood resilient design measures and water efficiency measures identified in the Flood Risk Assessment by Price & Myers Consulting (dated September 2024 Rev 2) submitted with this application are fully implemented. The measures shall thereafter be permanently retained.

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).

- 10) Prior to commencement of the development hereby approved the following shall be submitted to, and approved in writing by the Local Planning Authority:

(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.

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).

- 11) 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.

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).

- 12) No development shall commence until a preliminary risk assessment report is submitted to and approved in writing by the Council. This report shall comprise: a desktop study which identifies all current and previous uses at the site and surrounding area as well as the potential contaminants associated with those uses; a site reconnaissance; and a conceptual model indicating potential pollutant linkages between sources, pathways and receptors, including those in the surrounding area and those planned at the site; and a qualitative risk assessment of any potentially unacceptable risks arising from the identified pollutant linkages to human health, controlled waters and the wider environment including ecological receptors and building materials. All works must be carried out in compliance with and by a competent person who conforms to 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 of the Local Plan (2018).

- 13) No development shall commence until a site investigation scheme is submitted to and approved in writing by the Council. This scheme shall be based upon and target the risks identified in the approved preliminary risk assessment and shall provide provisions for, where relevant, the sampling of soil, soil vapour, ground gas, surface and groundwater. All works must be carried out in compliance with and by a competent person who conforms to 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 of the Local Plan (2018).

- 14) Unless the Council agree in writing that a set extent of development must

commence to enable compliance with this condition, no development shall commence until, following a site investigation undertaken in compliance with the approved site investigation scheme, a quantitative risk assessment report is submitted to and approved in writing by the Council. This report shall: assess the degree and nature of any contamination identified on the site through the site investigation; include a revised conceptual site model from the preliminary risk assessment based on the information gathered through the site investigation to confirm the existence of any remaining pollutant linkages and determine the risks posed by any contamination to human health, controlled waters and the wider environment. All works must be carried out in compliance with and by a competent person who conforms to 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 of the Local Plan (2018).

- 15) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until, a remediation method statement is submitted to and approved in writing by the Council. This statement shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved quantitative risk assessment. All works must be carried out in compliance with and by a competent person who conforms to 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 of the Local Plan (2018).

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

be detailed in an amendment to the remediation statement and verification of these works included in the verification report. All works must be carried out in compliance with and by a competent person who conforms to 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 of the Local Plan (2018).

- 17) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until an onward long-term monitoring methodology report is submitted to and approved in writing by the Council where further monitoring is required past the completion of development works to verify the success of the remediation undertaken. A verification report of these monitoring works shall then be submitted to and approved in writing by the Council when it may be demonstrated that no residual adverse risks exist. All works must be carried out in compliance with and by a competent person who conforms to 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 of the Local Plan (2018).

- 18) 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.

- 19) 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.

- 20) Prior to the commencement of the demolition phase (excluding installation of Solid timber hoarding and Dust Deposition Monitors around the perimeter of the site) of the development hereby permitted, an Air Quality Dust Management Plan (AQDMP) in accordance with the Councils AQDMP Template 'B' shall be submitted to and approved in writing by the Local Planning Authority. Approved details shall be fully implemented and permanently retained and maintained during the demolition phases of the development.

To ensure local air quality is not compromised during the demolition phase, in line with Local Plan Policies CC10 and CC13 (2018) and the councils Air Quality Action Plan.

- 21) Prior to the commencement of the construction phase (excluding installation of Solid timber hoarding and Dust Deposition Monitors around the perimeter of the site) of the development hereby permitted, an Air Quality Dust Management Plan (AQDMP) in accordance with the Councils AQDMP Template 'D' shall be submitted to and approved in writing by the Local Planning Authority. Approved details shall be fully implemented and permanently retained and maintained during the construction phases of the development.

To ensure local air quality is not compromised during the demolition construction phase, in line with NPPF, Local Plan Policies CC10 and CC13 (2018) and the councils Air Quality Action Plan.

- 22) Prior to occupation of the development, details (including manufacturer specification, installation/commissioning certificates, gas supply/meter site clear certificate, and photographic confirmation) of the installed Air Source Heat Pumps (ASHP), Heat Battery Boiler, Electric Boiler or alternative electrical only heating systems to be provided for space heating and hot water for the four 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.

To comply with the requirements of the NPPF, Policy SI 1 of the London Plan, Policy CC10 of the Local Plan (2018) and the councils Air Quality Action Plan

23) 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 four 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 Council 2030 WHO aligned Annual Mean Air Quality Targets for Nitrogen Dioxide (NO₂) - 10ug/m³, Particulate (PM₁₀) -15 ug/m³ and Particulate (PM_{2.5}) - 5 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 elevations of each residential floor.
- 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 (PM_{2.5}, 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 (PM_{2.5}, 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.

To comply with the requirements of the NPPF, Policy SI 1 of the London Plan, Policy CC10 of the Local Plan (2018) and the councils Air Quality Action Plan

24) Prior to occupation of the development hereby permitted, details of a post installation compliance report including photographic confirmation of the mitigation measures as detailed in the approved ventilation strategy as required by condition 25 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 Surveyor (MRICS). Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

To comply with the requirements of the NPPF, Policy SI 1 of the London Plan, Policy CC10 of the Local Plan (2018) and the councils Air Quality Action Plan

- 25) Prior to occupation of the development hereby permitted, details (including manufacturer specification, installation/commissioning certificates and photographic confirmation) of the installed electric induction cooking stove in the kitchens of the four 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 interest of air quality improvement and to comply with the requirements of the NPPF, Policy CC10 of the Local Plan (2018) and the councils Air Quality Action Plan

- 26) The development hereby approved shall use temporary solid timber hoarded fencing (minimum height 2.5 metres) around the perimeter of the site on all site boundaries and/or enclosure of the site. The temporary solid timber hoarded fencing and/or enclosure in accordance with BS 5975-2:2024 shall be installed prior to the start of any demolition/site clearance works (except that required in the location of the proposed hoarding, prior to installation of the hoarding) and thereafter be retained for the duration of the building works. No part of the temporary fencing and/or enclosure of the site shall be used for the display of commercial advertisement hoardings unless the relevant advertisement consent is sought from the Local Planning Authority. Approved details shall be fully implemented and permanently retained and maintained during the demolition and construction phases of the development.

To ensure local air quality is not compromised during the demolition and construction phases of the development in accordance with NPPF, Local Plan Policies CC10 and CC13 (2018) and the councils Air Quality Action Plan

- 27) Prior to the occupation of the development hereby permitted, the side facing window on Unit 1 as depicted on drawing no. 630 / 416B shall be fitted with frosted glass to a minimum level of obscurity equivalent to Pilkington Texture Glass Level 3, and shall be non-opening and fixed shut up to a height of 1.7m above the finished floor level. The windows shall thereafter be permanently retained as approved.

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

- 28) The development hereby approved shall be carried out in accordance with the approved Arboricultural Impact Assessment Report prepared by AECOM dated March 31 2017. All trees adjoining the development site shall be protected from damage in accordance with BS5837:2012. No construction shall take place until any such trees are adequately protected as per BS5837:2012. Tree protection measures shall be carried out in full for the duration of the construction works.

To ensure that 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).

Justification for Approving the Application:

- 1) 1. Land Use: The proposal would achieve a sustainable form of development by providing much-needed housing on previously developed land which includes buildings in poor condition. The proposal would provide four additional units of housing and would make efficient use of land by optimising residential use on this brownfield site. The proposals are therefore considered to be in accordance with Policy D3, GG2 and SD6 of the London Plan (2021), Policies E1, E2, HO1, HO4, HO5 and TLC2 of the Local Plan (2018). The proposal is considered to be in accordance with Policies HO1, HO4, and HO11 of the Local Plan (2018).
2. Housing Quality: The quality of accommodation, including internal design and layout of the new residential units, is considered to be of high quality having regard to the Mayor's Housing 'Design Standards' LPG (2023), London Plan (2021) Policy D6, the DCLG's Nationally Described Space Standards (2015), Local Plan (2018) Policies HO4, and HO11 and relevant Housing 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 and heritage: The proposed development is considered to represent a good quality of design which optimises the capacity of a previously developed land. However, given the increased scale of the proposals within the local context, it is considered that the second floor of development, would result in some harm to the Ravenscourt and Starch Green conservation area, and whilst the development would result in some heritage benefits, these are not considered to outweigh this harm. The proposed scheme would accord with the overarching ambition of design-based policies of the NPPF (2024), London Plan (2021) Policy D3 and D5, and Local Plan (2018) Policies DC1 and DC2. Notwithstanding this, the development would fail to preserve the character and appearance of the conservation areas and would not accord with section 72 of Planning (Listed Buildings and Conservation Areas) Act 1990, and Local Plan policy DC8; it is however considered that the other public benefits of the scheme would outweigh this harm in accordance with paragraph 215 of the NPPF.
4. Residential Amenity: The proposed development would respect the principles of good neighbourliness and maintain an acceptable relationship with the neighbouring residential properties. Subject to conditions, the proposed scheme 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 proposals comply with Policies DC1, DC2, HO11, CC11, CC12 and CC13, and relevant housing and amenity Key Principles of the 'Planning Guidance' SPD (2018).
5. Highways matters: It is considered that the scheme would not have a significant undue impact on the highway network, road safety and conditions or local on-street car parking demands; the reduction in vehicle trips compared to the existing lawful use of the site (Class B2) is a material consideration which weighs

in favour of allowing the homes to benefit from one CPZ permit per property. On the balance of site-specific factors relevant to the determination of this application, the proposal is deemed to be acceptable in transport terms. Satisfactory provision would be made for cycle parking. Adequate provision for the storage and collection of refuse and recyclables would be provided. The proposed development therefore accords with the NPPF (2024), London Plan (2021) Policies T1-T7, Local Plan (2018) Policies T1, T2, T3, T4, T7 and CC7, and relevant transport and waste management Key Principles of the 'Planning Guidance' SPD (2018).

6. Environment: The impact of the development with regards to land contamination, flood risk, energy, sustainability, trees and air quality are considered to be acceptable subject to conditions to secure further details of mitigations and appropriate measures, 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).

LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

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

Application form received: 23rd October 2024

Drawing Nos: see above

Policy documents: National Planning Policy Framework (NPPF) 2024
The London Plan 2021
LBHF - Local Plan 2018
LBHF – Planning Guidance Supplementary Planning Document
2018

Consultation Comments:

Comments from:

Crime Prevention Design Advisor - Hammersmith
Thames Water - Development Control

Dated:

08.11.24
29.10.24

Neighbour Comments:

Letters from:

1 Holly Villas Wellesley Avenue London W6 0UW
11 Wellesley Avenue London W6 0UP
46 Wingate Road London W6 0UR
127 DALLING ROAD LONDON W6 0ET

Dated:

28.11.24
19.04.25
27.11.24
21.11.24

12 Wellesley Avenue London W6 0UP	27.11.24
12 Wellesley Avenue London W6 0UP	10.03.25
46 Wingate Road LONDON W6 0UR	27.11.24
10 Wellesley Avenue London W6 0UP	22.04.25
2 Brackenbury Gardens London W6 0BP	09.11.24
29 Dorville Crescent London W6 0HH	25.11.24
14 Wellesley Avenue Hammersmith W6 0UP	25.11.24
33 Dorville Crescent London W6 0HH	25.11.24
4 Wellesley Avenue London W6 0UP	15.04.25
27-28 Eastcastle Street London W1W 8DH	26.11.24
29 Dorville Crescent London W6 0HH	26.11.24
111 Brackenbury Road London W6 0BQ	25.11.24
139 Dalling Road London W6 0ET	24.11.24
Ground Floor Flat 33 Dorville Crescent London W60HH	26.11.24
Ground Floor Flat 33 Dorville Crescent London W60HH	26.11.24
Ground Floor Flat 33 Dorville Crescent London W60HH	26.11.24
No Address Given	25.11.24
33 Dorville Crescent London W6 0HH	18.11.24
33 Dorville Crescent London W6 0HH	22.11.24
33 Dorville Crescent London W6 0HH	22.11.24
4 Wingate Road London W6 0UR	11.04.25
Delhi, Church Lane, Waltham, Waltham Waltham, Canterbury CT4 5SQ	19.04.25
11 Wellesley Avenue London W6 0UP	19.04.25
29 Dorville Crescent London W6 0HH	26.11.24

OFFICER'S REPORT

1.0 BACKGROUND

- 1.1 The application site comprises a large industrial building, formerly in use as a car repair garage, with a hard-surfaced forecourt in front (use class B2). The building is single storey but has a substantial pitched roof with a maximum height of approximately 8 metres at the ridge. Smaller-scale residential properties adjoin the site on all sides and on the opposite side of Wellesley Avenue.
- 1.2 The whole of the building had been occupied by a company who maintained Aston Martin cars, and their lease ran out in August 2017. Car repairs and associated testing were carried out in the building, and there was a subsidiary office element in the front. The whole of the forecourt area was used for the parking of cars, with occasional testing in the open air.
- 1.3 The site is located within the Ravenscourt and Starch Green Conservation Area. The site itself is neither statutorily nor locally listed, nor does it lie within the immediate vicinity of any other designated heritage assets. However, the site is located approximately 80m away from Ravenscourt Park.
- 1.4 The site falls within the Environment Agency's Flood Zones 2 and 3. The site has a Public Transport Accessibility Level (PTAL) of 4, indicating that it is relatively well accessible by means of public transport. Ravenscourt Park Underground Station lies approx. 0.5km to the south of the site. There are also a number of bus stops

within comfortable walking distance of the site on Paddenswick Road and Goldhawk Road.

- 1.5 This application seeks permission for demolition of existing car repair workshop (Class B2); erection of part one, part two and part three storey building comprising of ground, first and second floor levels in connection with the creation of 3no single family dwellinghouses (Class C3) to northern elevation of the site and erection of a single storey detached building to southern elevation of the site to use as a single family dwellinghouse (Class C3); reinstatement of public pavement by removal of vehicular crossover; removal of 1no substandard on street parking bay and formation of 4no replacement on street parking bays; associated landscaping.

1.6 Relevant Planning history

12 Wellesley Avenue

The planning history for the site includes a granted certificate of lawfulness for change of use of the existing building to offices (Ref. 2015/02949/CLP). The change of use was never implemented.

14 Wellesley Avenue

Furthermore, the adjacent site at 14 Wellesley Avenue, was granted consent in 2015, with the following description of development: Demolition of existing two storey dwelling house and erection of a three storey plus basement 4 bedroom dwelling house with front and rear lightwells, including the creation of a rear balcony at first floor level. (Ref: 2014/05904/FUL).

Several pre-commencement conditions have been discharged in relation to this site, and the existing building has been demolished.

12 and 14 Wellesley Avenue

In 2017, the council refused permission for redevelopment of the site, comprising demolition of the existing car repair workshop and the existing house at 14 Wellesley Avenue, which the applicant also owned, and erection of new three storey office building with basement at 12 Wellesley Avenue and a linked mixed-use office and residential building at 14 Wellesley Avenue to provide office space at basement and ground levels and a 3-bedroom residential unit above (Ref. 2017/02065/FUL, referred to as 'the 2017 application'). The application was refused by the council at Planning and Development Control Committee on 8th November 2017, in accordance with the Officer's recommendations. Seven reasons for refusal were given, as follows:

- 1) The proposed development is considered to be unacceptable by reason of its scale, design, and appearance. The design and scale with its overly dominant top floor, and detailed design which includes its large brick "goal post" frame and the low front boundary wall fails to relate satisfactorily to or integrate sensitively with the surrounding buildings which have a finer grain domestic scale. The office development of approximately 2000sq.m would bring a level of commercial activity and scale inappropriate to the character of

this part of the conservation area. The proposed development would result in harm to the character and appearance of the Conservation Area, which it is desirable to preserve in accordance with s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Furthermore, the proposal also fails to adhere to the principles of good neighbourliness. The proposal is therefore considered to be contrary to policies BE1 of the Core Strategy (2011) and policies DM G1 and DM G7 of the Development Management Local Plan (2013), and Design Policies 30, 44, 46 and 48 of the Planning Guidance SPD (2013) and contrary to the National Planning Policy Framework (2012) paragraph 132.

- 2) The proposed basement by virtue of its size and extending beyond the footprint of the building would result in an overdevelopment of the garden areas and would result in long term harm being caused to the green appearance of the borough and biodiversity, which in turn would have a detrimental impact on character and appearance of the conservation area. The proposed development is contrary Development Management Local Plan (2013) policies DM A8, DM E4 and DM G7, and Planning Guidance SPD Sustainability policies 14, 21 and 22, and SPD Design Policy 56.
- 3) The proposal is considered to be unacceptable in the interests of residential amenity. More particularly, the proposed development, by virtue of its height, scale, and bulk and close proximity to neighbouring residential properties on Dorville Crescent, Wellesley Avenue and Paddenswick Court would result in an overbearing and dominating effect causing undue loss of outlook and increased sense of enclosure to the occupiers of these properties. Accordingly, the proposal would constitute an inappropriate and unneighbourly form of development and in this respect is contrary to Policies DM G1 and DM A9 of the Development Management Local Plan (2013), and SPD Housing Policy 8 criteria (i) of the Planning Guidance Supplementary Planning Document (2013).
- 4) The proposed new windows at first and second floor level on the south-eastern elevation, by virtue of their elevated position and close proximity to the neighbouring residential properties together with a lack of sufficient screening, would constitute an inappropriate and unneighbourly form of development that would be harmful to the existing amenities of the occupiers of those properties, as a result of overlooking and loss of privacy. In this respect the proposal is contrary to Policy DM G3 of the Development Management Local Plan (2013), and SPD Housing Policy 8 (ii) of the Planning Guidance Supplementary Planning Document (2013).
- 5) The proposal is considered to be unacceptable on the grounds of residential amenity. Officers consider that there is considerable potential for noise and disturbance from staff and visitors entering and leaving the site throughout the day, given the excessive size of the Class B1 office. The proximity to existing and proposed residential properties would exacerbate this conflict. Concerns are also raised regarding the lack of information submitted regarding opening hours, and how servicing activities associated with office development would be managed to mitigate harm to these residential properties. In the absence of this information, it is considered that the proposed office use would cause unacceptable harm to existing and future

occupiers of the site / neighbouring properties by reason of additional noise disturbance and general nuisance resulting from activities from the B1 use, to the detriment of the amenities of residents. In this respect the proposal is considered to be contrary to Development Management Local Plan (2013) policies, DM H9, DM H11 and Core Strategy (2011) policy CC4.

- 6) The proposal fails to properly assess the feasibility of preferred sustainable drainage measures as set out in the London Plan Drainage Hierarchy. In particular, the current proposals have not sufficiently assessed rainwater harvesting and living roof options or other above-ground storage/infiltration techniques. This would be exacerbated by virtue of the size and scale of the proposed basement which extends beyond the footprint of the building, resulting in overdevelopment of the site, which would further limit the potential for sustainable urban drainage. In this respect the proposals fail to accord with Policy 5.13 of the London Plan (as amended in 2016), Policies CC2 and CC4 of the Core Strategy (2011), and Policy DM H3 of the Development Management Local Plan (2013).
- 7) The proposed development is considered to be unacceptable in the interests of visual amenity and biodiversity. The development will have a harmful effect on neighbouring trees as some will need to be cut back or removed to allow the development to be constructed and others will be subject to post development pressure to prune their crowns and restrict their growth. Furthermore, the Tree Survey Report refers to the removal of T8 and T9 yet these are likely to offer significant visual amenity to the neighbours. The loss of these trees would result in harm to the character and appearance of the conservation area, and loss of biodiversity, contrary to policies BE1 of the Core Strategy, Development Management Local Plan (2013) policies DM G7 and DM E4, and Design Policy 56 and Sustainability policies 14, 21 and 22 of the Planning Guidance SPD (2013).

The refused 2017 application was subject to an appeal which was dismissed by the Inspector following a local Hearing held on 12th February 2018 (appeal Ref. APP/H5390/W/18/3200901). Briefly, the appeal was dismissed because the Planning Inspector found that harm would be caused to neighbours' living conditions and to the character and appearance of the conservation area (due to the second-floor element) and that provision of SuDS would not be satisfactory.

In January 2020 the council refused another application (Ref. 2019/03018/FUL), referred to as 'the 2019 application') for a development that was similar to the one above, although changed in some respects (including further reduction of the size of the second floor, further reduction in the size of the first floor, and the introduction of a 1-metre-high brick boundary wall to the front). This application was also refused by Officers under delegated powers, for four reasons:

- 1) The proposed development is considered to be unacceptable by reason of its scale, design, and appearance. The height, design, scale and bulk of the top floor fails to relate satisfactorily to or integrate sensitively with the surrounding buildings which have a finer grain domestic scale and lower height. The proposed development would result in harm to the character and appearance of the Conservation Area, which it is desirable to preserve in accordance with s.72 of the Planning (Listed Buildings and Conservation

Areas) Act 1990. Furthermore, the proposal also fails to adhere to the principles of good neighbourliness. The proposal is therefore considered to be contrary to Policies 7.6 and 7.8 of the London Plan (2016) and Local Plan (2018) Policies DC1, DC2 and DC8 of the Local Plan (2018) and Key Principle CAG2 of the Planning Guidance Supplementary Planning Document (2018).

2) Officers consider that there is considerable potential for the proposed development to result in a significantly increased number of vehicle trips, which has not been properly assessed by way of an up-to-date and robust Transport Statement. In the absence of this information, it is considered that the proposed office use, most especially in terms of trips generated by staff, visitors, delivery and servicing vehicles, has the potential to cause unacceptable harm to the local highway networks and the amenities of neighbouring properties through increased vehicle movements and resultant traffic congestion, parking stress and noise disturbance. In this respect the proposals fail to comply with Policies T1, T2, CC11 and CC13 of the Local Plan (2018).

3) The proposed new windows at second floor level on the south-eastern elevation, by virtue of their elevated position and close proximity to the neighbouring residential properties together with a lack of sufficient screening, would constitute an inappropriate and unneighbourly form of development that would be harmful to the existing amenities of the occupiers of those properties, as a result of overlooking and loss of privacy. In this respect the proposal is contrary to Policies DC2 and HO11 of the Local Plan (2018) and Key Principle HS7 of the Planning Guidance Supplementary Planning Document (2018).

4) The proposal fails to properly assess the feasibility of preferred sustainable drainage measures as set out in the London Plan Drainage Hierarchy. In particular, the current proposals have not sufficiently assessed rainwater harvesting and living roof options or other above-ground storage/infiltration techniques. In this respect the proposals fail to accord with Policy 5.13 of the London Plan (2016) and Policy CC4 of the Local Plan (2018).

An appeal was subsequently lodged and dismissed by the Inspector following a local Hearing held on 9th December 2020 (appeal Ref. APP/H5390/W/20/3251291). (The reason for refusal regarding sustainable drainage was resolved part-way through the appeal process and was not contested at the Hearing.) Some of the key points arising from the Inspector's decision were:

- While a three-storey building may be acceptable in principle, the height and position of the proposed section floor would appear incongruous in the street scene and would result in the whole building appearing to have a significantly larger massing than the neighbouring properties when viewed from street level. The Inspector concluded that for this reason the proposal would harmfully alter the small-scale character of Wellesley Avenue and the conservation area. The inspector concluded that this harm would be less than substantial harm. This was the Inspector's reason for dismissing the appeal.

- The overall number of vehicle movements would be likely to be less than that potentially generated by the existing B2 use. There would not be an unacceptable impact on highway traffic, parking, or the levels of noise and pollution along Wellesley Avenue.
- The proposed development would not unreasonably harm the living conditions of neighbouring occupiers with particular regard for privacy. Given the height of the first-floor windows along the south east elevation and the distance to the centre of the office floor plan, there would not be undue overlooking to the rear of the properties of Nos. 29 to 35 Dorville Crescent.
- No. 14 is a cleared site previously occupied by a small house. The house was demolished in order to implement the extant planning permission. The proposed building at No. 14 would be similar in scale and form to that already approved within the extant planning permission, and no objections are raised by the Council. Given the relevant fall-back position of the extant planning permission, I see no reason to disagree with this view.

More recently, application reference 2021/00773/FUL for Demolition of existing car repair workshop (Class B2) and erection of a two storey office building (Class E) with basement, associated alterations to the existing garage forecourt, including erection of a boundary wall was refused on 22 October 2021. The reason for refusal related to "The development fails to provide on-site provision of affordable workspace and the proposed financial contribution, in lieu of on-site provision, is considered to be unacceptable. Financial contributions in lieu of on-site provision will only be accepted in exceptional circumstances and no evidence had been presented to demonstrate, amongst other things, that it would not be practical or viable in this instance. Therefore, the proposal was considered to be unacceptable and contrary to London Plan (2021) policies E2 and E3 and Local Plan (2018) policy E1."

An appeal was subsequently lodged (APP/H5390/W/21/3288332). The Appeal was dismissed by the Inspector due to lack of a satisfactory Unilateral Undertaking. A High Court decision subsequently quashed this appeal decision and the Appeal was sent back to the Inspector for redetermination. The Planning Inspectorate granted permission in August 2023. This forms a material consideration in the assessment of this planning permission and is effectively the 'fall-back' position.

2.0 PUBLICITY AND CONSULTATION RESPONSES

2.1 A site notice and press advert were published to advertise the application, and notification letters were sent to the occupants of 265 surrounding properties. A total of 18 objections were received from 10 separate addresses and 5 letters of support. The reasons for the objection comments can be summarised as follows:

- lack of clarity on the scale of the development;
- Privacy from side facing windows and rear windows resulting in additional overlooking;

- Noise disturbance as a result of the new residential use;
- Light pollution at night from additional windows;
- Impact of demolition and construction;
- Increase traffic and safety concern regarding nearby school;
- Design of development not in keeping with surrounding conservation area;

2.2 The planning issues raised above will be addressed in the report below. Officer comment: Concerns about environmental health and protection legislations; however, where appropriate planning conditions can be used to request some mitigation measures.

2.3 Brackenbury Resident's Association (BRA) initially objected to the scheme raising the following concerns (24/11/24):

- Height of the street frontage: the building is too big for the street: the levels of both the front parapet and the mansard roof are out of scale with the surrounding streetscape;
- Concerns regarding the contemporary style;
- Increased overlooking and loss of privacy to 29, 31, 33 & 36 Dorville Crescent, and 11 Wellesley Avenue;
- Planning conditions should forbid recreational use of the flat roofs to No.1 and No. 3;
- Parking: we support the applicant's request for a resident's parking permit for each property. The development of the site will allow the existing footway crossover to be removed, making way for additional kerbside parking spaces, and so ensuring the street parking pressure would remain unchanged by the additional permits;
- Conclusion: Over the last seven years the local residents have played a major role in consultations concerning the development of this site. The community was united in its opposition to the earlier applications for office use, proposals which were wholly alien to this traditional and intimate street, and we welcome the change to residential use, and look forward to the removal of the garage shed and the reinstatement of our street.

2.4 Following this initial letter, the BRA provided a 2nd set of comments were received (17/12/24): "Our comments have since been discussed further with the applicant's team, and we now attach our revised observations in place of our earlier email. We would support approval of the proposals subject to resolution of the points we set out in our attached email"

- We have no objection to the application scheme in principle: we welcome the change to residential use, and we would support the applicant's request for a resident's parking permit for each property. The scheme is a significant improvement on its predecessors.
- There are issues which have been raised by the residents during the consultation discussions and remain unresolved, including:
 - (i) the rear of the development directly adjoins the gardens of eight existing houses, and issues of privacy and overlooking need to be better resolved. We would request LBHF give this careful consideration.
 - (ii) the development frontage should sit comfortably in the streetscape of Wellesley Avenue, and we request LBHF to consider how the proposals

might respond more effectively to the important guidance of Conservation Area policy. We note that the applicant has agreed to reduce the height of the roof on the front elevation to the level proposed in earlier design discussions.

- 2.5 Following receipt of revised drawings a reconsultation was carried out and 1 objection was received raising concerns regarding the proposal altering the character of the quiet residential road and traffic and highways safety concerns. 3 letters of support.
- 2.6 The BRA provided comments following the reconsultation raising the following points (10/03/25):
- The residential scheme, with on-street parking provision, would cause substantially fewer vehicle movements than the commercial scheme which is likely to proceed if the residential proposal proves unviable, and also it would cause fewer vehicle movements than were associated with the former garage use of the site, all as confirmed in the application Transport statement.
 - Wellesley Avenue is one of Brackenbury's best streets, watched over and maintained by a strong resident community. The local residents and Brackenbury Residents Associations have worked ceaselessly to bring about the best resolution for the development of this pivotal site in the street. The residential scheme proposed would not only contribute to the eclectic mix which creates the quirky appeal of Wellesley Avenue, but it would also save the street from the disaster of the office scheme which would be likely to proceed in its place.
 - We would ask that this application is approved.

External consultation responses:

- 2.7 Thames Water - no objection with regards to surface water drainage if the developer follows the sequential approach to the disposal of surface water. No objection with regards to waste water network and sewage treatment works infrastructure capacity.

No objection with regards to water network and water treatment infrastructure capacity.

- 2.8 Crime Prevention - no comments to make.

- 2.9 The planning issues raised above will be considered in more detail in the body of the report below.

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 legislation 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' (2018) and the 'Climate Change' (2023) Supplementary Planning Documents (hereafter referred to as 'Planning Guidance' and Climate Change' SPDs). Other strategic and local supplementary planning guidance and other documents from the Council and the Greater London Authority/Mayor of London are also material to the determination of the application.

National Planning Policy Framework (2024)

- 3.4 The National Planning Policy Framework - NPPF (as updated 2024) 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 (2021)

- 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 proposed development has been assessed in line with the policies set out in the London Plan. The London Plan is supported by guidance, which provides further information about how the London Plan Policies should be implemented in the form of Supplementary Planning Guidance ('SPG') documents which have also been considered in determining this application.

The Local Plan (2018)

- 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' (February 2018) and 'Climate Change' (October 2023) Supplementary Planning Documents (SPDs) are also material considerations. These provide supplementary detail to the policies and are organised around key principles.
- 3.8 With regard to this application, all planning policies in the National Planning Policy Framework (NPPF, 2024), London Plan (2021), Local Plan (2018), and Supplementary Planning Guidance (SPG) / Supplementary Planning Documents (SPDs) 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), the 'Planning Guidance' Supplementary Planning Document (2018) (hereafter referred to as the 'Planning

Guidance' SPD) and the 'Climate Change' Supplementary Planning Document (2023) (hereafter referred to as the 'Climate Change' SPD), include:

- The principle of the development in land use terms;
- Quality of Accommodation;
- The impact of the development on the character appearance of the Ravenscourt And Starch Green Conservation Area;
- The impact of the development on neighbours' living conditions;
- Transport and highways;
- Environmental considerations and
- Planning obligations.

4.0 LAND USE

Loss of Existing Use

- 4.1 London Plan Policy E4 relates to land for industry, logistics and services to support London's economic function.
- 4.2 The relevant policies for assessing the proposed change of use involving the loss of employment are Local Plan Policies E1 (Providing for a range of employment uses) and E2 (Land and premises for employment uses).
- 4.3 Policy E1 states that the council will support the retention, intensification and enhancement of existing employment uses. Policy E2 states 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 purpose.
- 4.4 The application seeks planning permission for the demolition of the existing vehicle repair workshop (Class B2) and its re-development to provide four residential dwellings (Class C3). The proposals would therefore result in the loss of approx. 573 sqm of employment floorspace.
- 4.5 Officer's acknowledge that there are significant concerns about whether it would be possible to upgrade the premises to make them suitable for a new Class B2 (general industrial) use in future and the location of the site means that planning permission would most likely not be granted for an industrial use today. The site is enclosed on all sides by residential properties and sits very close to residential windows. Officers recognise that some disturbance is therefore likely and is a constraint of the site for continued B2 use, which is not currently controlled by any planning conditions. Although the current site is underused and does not appear to cause any significant problems in terms of noise disturbance, there is no guarantee that a future industrial occupier would be the same. Therefore, it is considered that the principle of the change of use may be justified by virtue of Criterion (1) of Local Plan Policy E2 subject to other material considerations.
- 4.6 Given the low employment density, poor quality of the existing buildings and

constraints imposed by the residential context, Officers consider that the proposed change of use to residential would not have a significant adverse impact on the borough's employment stock in either the short or long term. For these reasons, the residential led redevelopment could be supported in this location in line with Local Plan Policies E1 and E2.

HOUSING PROVISION

- 4.7 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. 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 Plan Policy H1, Table 4.1.
- 4.8 The proposed development would contribute to a net addition of 4 residential units in the borough to meet an identified housing need and target. Therefore, the development would accord with London Plan Policy H1 and Local Plan Policy HO1.

Housing Mix

- 4.9 Policy HO5 of the Local Plan requires a mix of housing types and sizes in development schemes, especially increasing the proportion of family accommodation.
- 4.10 The proposed development provides the following mix: 1 x 2 bedroom unit, 1 x 4 bedroom unit and 2 x 6 bedroom units. As such, three family-sized units would be provided and this is considered to be a good mix of unit sizes in this location and no objections would be raised in terms of Policy HO5, which seeks to ensure that development sites provide a mix of housing types and sizes, and it seeks to increase the proportion of family accommodation (those units with 3 or more bedrooms).

5. QUALITY OF ACCOMMODATION

- 5.1 London Plan Policy D6 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.

Indoor and outdoor space standards

- 5.2 London Plan (2021) Policy D6 places a significant focus on internal space standards for dwellings. The purpose of the policy is to ensure that all new homes

are fit for purpose and offer the potential to be occupied over time by households of all tenures and sets out the minimum Gross Internal Areas (GIA) for new dwellings. All the proposed units would meet or exceed recommended minimum GIA as set out in London Plan Policy 3.1.

5.3 The proposals include the following unit sizes:

Unit 1: 4-Bed/8-Person/8-Storey: 175sqm (complies, 124sqm min requirement)

Unit 2: 6-Bed/8-Person/2-Storey: 230sqm (complies, 132sqm min requirement)

Unit 3: 6-Bed/8-Person/2 Storey: 227sqm (complies, 132sqm min requirement)

Unit 4: 2-Bed/4-Person/2 Storey: 147sqm (complies, 79sqm min requirement)

5.4 All the proposed units would meet and considerably exceed their minimum GIA/floorspace requirement as set out in London Plan, the NDSS and Key Principle HS2 of the 'Planning Guidance' SPD. The development is also compliant with the Technical Housing Standards in terms of minimum room sizes, storage space and floor-to-ceiling heights.

5.5 In addition, all of the proposed units would have private outdoor amenity space of a size that exceeds the requirement of Standard 26 within the Housing SPG, which states that a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sqm should be provided for each additional occupant.

5.6 For the proposed family-sized (3 bedroom or greater) units, Key Principle HS1 states that each new dwelling should have access to amenity or garden space of no less than 36 sqm, and part of this should form private open space with direct access from the dwelling. In this case:

- Unit 1 (4b 8p) has a private garden of 36 sqm at the rear and front garden space of 17 sqm.
- Unit 2 (6b 8p) has a rear garden space of 62.5 sqm and front garden space of 17 sqm.
- Unit 3 (6b 8p) has a rear garden space of 43 sqm and front garden space of 17 sqm.
- Unit 4 (2b 4p) would have a rear garden space of 40.4 sqm and front garden space of 38 sqm.

Aspect and Outlook

5.7 Local Plan Policy HO11 states that new housing should be of a high standard and provide housing that will meet the needs of future occupants. London Plan policy D6 (2021) states that housing development should maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect dwellings. A single aspect dwelling should only be provided where it is considered a more appropriate design solution to meet the requirements of Part B in Policy D3 Optimising site capacity through the design-led approach than a dual aspect dwelling, and it can be demonstrated that it will have adequate passive ventilation, daylight and privacy, and avoid overheating. The Council's preference is therefore for dwellings to be dual aspect. In this development, all of the houses would be dual aspect.

Daylight and Sunlight to habitable rooms

- 5.8 The submissions include a Daylight/Sunlight Report which includes an assessment of natural light for the proposed units. 100% of the rooms meet the median daylight factor recommendations. 100% of the dwellings have at least one room that can receive a total of at least 1.5 hours of sunlight on 21st March.
- 5.9 To summarise, all internal rooms passed the BRE guidelines daylight assessment, demonstrating acceptable levels of daylight would be achieved. Similarly for sunlight, the test shows that all the living areas passed the sunlight exposure assessment, achieving sunlight levels that are well in excess of the suggested 1.5 hours of sunlight on the 21st March assessment date. Officers have reviewed the report and can find no reason to disagree with its conclusions.
- 5.10 Overall, the proposed development would include residential units with good levels of daylight and sunlight which would in turn provide acceptable living conditions to future occupiers.

Accessible and inclusive design

- 5.11 The London Plan Policy D7 states that 90% of new housing should meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' and 10% of new dwellings should meet Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e., designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. This also replicated in Policy HO6 of the Local Plan.
- 5.12 In this case, all of the houses would provide level access from the street and therefore would meet the M4(2) standards.
- 5.13 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 application has been reviewed by the Council's Environmental Protection Team who raised no objections, subject to a condition to ensure the noise level between different rooms meet the noise standard specified in BS8233:2014.

Secured by Design

- 5.14 London Plan Policy D11 and Local Plan Policy DC1 both require new developments to respect the principles of Secured by Design (SBD) 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 Metropolitan Police - Crime Prevention Team have reviewed this application and have no comments to make but have recommended the use of SBD products.
- 5.15 In conclusion, the development is considered to be in accordance with the policies

and standards set out in the London Plan (2021) Policies D6, D7 and D11 and the relevant baseline standards contained within the Mayor's Housing SPG, as well as Local Plan (2018) Policies DC1, DC2, HO4, HO6, HO11 and CC11.

Fire Safety

- 5.16 Policy D12 of the London Plan states that 'all development proposals must achieve the highest standards of fire safety'.
- 5.17 Paragraph 3.12.2 of the London Plan 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.
- 5.18 Pursuant to London Plan Policy D12, the submission of a Fire Statement is not a requirement for minor development proposals. Notwithstanding, in accordance with legislation the development must accord with Building Regulation Approved Document Part B which relates to suitable and convenient means of escape. Officers, are satisfied that due consideration has been given to fire safety in line with London Plan Policy D12, Part A.
- 5.19 Overall, the proposals would accord with fire safety and Policy D12 of the London Plan.

6.0 DESIGN, CHARACTER AND APPEARANCE

- 6.1 The NPPF 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 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 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 of the Local Plan 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

- toit; 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 Policy DC8 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.

DEMOLITION AND DESIGN OF NEW BUILDING

- 6.6 The site is located within the Ravenscourt and Starch Green Conservation Area and therefore Local Plan Policy DC8 (Heritage and conservation) is also relevant. The Council will aim to protect, restore and enhance the quality, character and appearance of the borough's conservation areas.
- 6.7 In addition, it is key to the assessment of this application that the decision-making process is based on the understanding of specific duties in relation to conservation areas required by the relevant legislation, particularly the Section 72 duties of the Planning (Listed Buildings and Conservation Areas) Act 1990 set out below together with the requirements of the NPPF. Section 72 of the above Act states in relation to conservation areas that: 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'
- 6.8 Paragraph 212 of the NPPF requires planning authorities to assess the significance of any heritage assets affected by development proposal, including their effect on their setting. This assessment shall be taken 'into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal' (para 212 of the NPPF). Paragraph 215 of the NPPF states that 'where a development 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 securing its optimum viable use.'

Demolition of existing buildings

- 6.9 Almost all of the site is occupied by the existing garage building, which is a large steel frame structure with dual pitched roof that occupies most of the site, with some flat roof extensions on the frontage along Wellesley Avenue. The site

boundaries are defined by this external brick wall which acts as a boundary to the rear of the gardens of the houses surrounding the site. The brick boundary wall with the neighbouring gardens rises to the height of the main roof ridge along the south side and is up to 8.7 m in height above the surrounding gardens. The proposal seeks to demolish most of the structure of the main garage building including the roof, but with the retention of the brick boundary walls.

- 6.10 The existing building is utilitarian in appearance and its form and massing are considered to relate poorly to its context. This point was specifically referenced in the previous appeal decision, where the inspector commented:

The existing building has an incongruous appearance in relation to surrounding housing and does not enhance the character and appearance of the area.

- 6.11 The opportunity exists to repair the streetscene on the south side of Wellesley Avenue, provide an active frontage to the street, remove the existing crossovers and reinstate the pavement. The site is highly visible from public viewing points (most pertinent along Wellesley Avenue). The proposed development therefore represents an opportunity to significantly improve upon the current situation for residents, both visually and in terms of the impact on neighbouring properties.

- 6.12 For these reasons, subject to the replacement buildings being of acceptable quality, Officers would not raise any objections to the proposed demolition of the existing buildings which are considered to be a negative contributor to the character and appearance of this sub-area of the conservation area.

Design of proposed new buildings

- 6.13 The proposed development would seek to repair the frontage of this section of Wellesley Avenue frontage through introduction of a residential scheme. Three houses would address this frontage, with a fourth a courtyard property located to the rear of the site. The building line of the new development has been positioned behind that of the historic terraces forming 10 and 11 Wellesley Avenue, and slightly forward of the building line of 13 Wellesley Avenue.

- 6.14 The massing of the main block would be of three storeys overall, (ground + 2, to a maximum height of 8.9m from ground level). The design of the upper floor incorporates a mansard style detailing, to give the roofscape a pitched appearance. The courtyard house is of a single storey massing.

- 6.15 Overall, the development would have a modern aesthetic which takes cues from the neighbouring developments. This approach is considered to be appropriate given that the southern portion of Wellesley Avenue does not have a consistent or complete architectural character. The buildings are designed to introduce render as the main facing material of the development on the Wellesley Road frontage, with framed double-height feature bays giving the scheme additional character, which would complement the character of the detached building 13 Wellesley Avenue. The rear of these blocks would be detailed in London stock brick, to replicate the form of other properties surrounding the application site.

- 6.16 At roof level the scheme is designed to give each property a strong parapet detailing, broken down to reflect the form of each individual house. With the upper

floor mansard style, fronted roofscape detailed in contrasting zinc and featuring projecting feature dormers.

6.17 The entrance to the rear courtyard house would be detailed in a similar manner to the neighbouring properties.

6.18 Fuller details of the materials and 1:20 drawings of key elements of the scheme, including the feature bay windows and dormers are suggested to be conditioned. From a design perspective, officers are satisfied that the proposal represents a high quality of design, which would be in keeping with the varied character of this stretch of Wellesley Avenue. Indeed, the current proposals are considered to be more compatible with the design qualities of existing developments, when considered against the fallback office development granted at appeal.

Heritage

6.19 The application site is located in the Ravenscourt and Starch Green conservation area. Beyond this the proposals would have no impact upon the setting of any other designated or non-designated heritage assets.

6.20 As described above, the current buildings occupying the site are considered to represent a negative contribution to the character and appearance of the conservation area.

Ravenscourt and Starch Green conservation area

6.21 The conservation area was designated in February 1974 and has been extended in the 1980 and 1990s. The main significance of the conservation area is largely focussed on Ravenscourt Park and adjacent former hospital complex that are surrounded by a street layout that has evolved over the last few centuries.

6.22 Given its size, the conservation area can be broken up into sub-areas. The Ravenscourt and Starch Green Conservation Area Character Profile dated 1999, identifies this site within the 'Ravenscourt Park and surrounding streets' sub-area.

6.23 This area features commercial uses along Goldhawk Road and King Street providing variety and hierarchy within the primarily residential built fabric surrounding the park and former hospital. Beyond these elements, other parts of the conservation area largely have an intimate residential character. Wellesley Avenue is primarily a residential street and is in keeping with the domestic feel of this part of the area. The five storey Curtis Building is significantly larger in scale compared with the other buildings along Wellesley Avenue. However, its main entrance is located on Paddenswick Road to which its massing and use are more closely related, the rest of Wellesley Avenue has a more residential character.

Assessment of impact

6.24 The previous appeal decisions which are material considerations of the current proposals included significant comments upon the harm to the conservation area arising from the earlier proposals for office developments.

6.25 The 2019 appeal decision is particularly relevant to officer consideration of the

current scheme, with the inspector making the following comments:

While a three-storey building may be acceptable in principle, the height and position of the proposed section floor would appear incongruous in the street scene and would result in the whole building appearing to have a significantly larger massing than the neighbouring properties when viewed from street level. The Inspector concluded that for this reason the proposal would harmfully alter the small-scale character of Wellesley Avenue and the conservation area.

- 6.26 The inspector concluded that this harm would be less than substantial harm. This was the Inspector's main reason for dismissing the appeal.
- 6.27 In terms of assessing the impact of the current proposals upon the character and significance of the conservation area, officers have carefully considered the updated principles of the use, scale/massing and detailing of the proposals. The fallback position of the two storey office building, (which was not considered to result in any harm to the conservation area), has also been considered in this regard.
- 6.28 The introduction of residential development along this frontage of Wellesley Avenue, would serve to reflect the residential character of the area, and would provide some positive heritage benefits to the site, replacing the current buildings occupying the site, which make a negative contribution to the character of the area with a scheme of more compatibility within this context. These benefits are considered to be increased by the design quality and detailing of the lower floors of the development.
- 6.29 However, taking into account the earlier appeals, there is only a certain amount of weight that officers can attribute to these benefits. With the upper floor mansard style roofscape introducing a scheme of three storeys overall. Despite this element incorporating a pitch to the building frontage, this would appear a substantive addition to the Wellesley Avenue frontage of the site and would be impactful in terms of being significantly larger than the adjacent dwellings when viewed from the street.
- 6.30 Taking into account the earlier appeal scheme, officers note that although the scheme has been reduced in terms of its scale to the rear of the site, the development has been increased in scale to the Wellesley Avenue frontage when considered against the earlier dismissed 2019 appeal. The images below show the difference between these two schemes.



Visualisations of 2019 Dismissed appeal and current proposal

6.31 As such in considering the heritage impact of the scheme. It is acknowledged that the second floor of the scheme would be substantively larger than the earlier dismissed appeal, when viewed from the Wellesley Avenue frontages of the site, and as such the proposal would introduce a substantial third storey, rather than a subtle roof-top element. Notwithstanding, the 2019 appeal decision, both the Inspector and Council agreed with the principle of a three storey building. The comments in the previous appeals related specifically to a three storey office building on the application site. The current application although three storeys, is a residential scheme with the characteristics of such a building typology. Therefore, officers recognise that the introduction of a residential second storey would result in some harm to the character and appearance of the small-scale character of Wellesley Avenue and the conservation area. This harm would be on the lower end of the less than substantial scale when considering the NPPF tests.

Design and Heritage conclusion

6.32 The application site has been the subject of several appeal decisions, with the 2019 appeal providing key material considerations in relation to the heritage impacts of development proposals for developments of three storeys at this location.

6.33 Demolition of the current vacant buildings occupying the site, which make a negative contribution to the character of the area is considered to be justified and could improve the local area. Similarly, the current scheme to introduce a residential development of three houses and a courtyard house, is considered to be more compatible with the use and established character of the area, and the design of the properties is considered to represent a high-quality of design. These are clear heritage benefits of the current proposal.

6.34 However, the weight and balance of these elements need to be carefully considered and in doing so, officers have given due material regard to the earlier inspector decision in relation to the 2019 office application, noting that regardless of its mansard style detailing, the current proposal would be significantly larger in terms of bulk and mass when considered against the 2021 allowed appeal. However, given that the current proposal is a residential scheme whereas the previous 2019 application was an office building, officers consider that the principle of a three storey residential building could be acceptable in this location subject to appropriate conditions securing details of materials to ensure a high-

quality finish. Indeed, no. 14 Wellesley Avenue is also a three storey residential building (see para 1.6). As such, officers acknowledge that although the other heritage benefits identified above would not be completely outweighed by the use, design or detailing of the current proposals, they would be an improvement against the office-led scheme although the current scheme would still result in less than substantial harm, towards the lower end of the scale of harm, when considering the NPPF test. Officers consider that there are wider public benefits identified further in this report that help to outweigh the harm identified.

6.35 In summary, the proposed scheme would accord with the overarching ambition of design-based policies of the NPPF (2024), London Plan (2021) Policy D3 and D5, and Local Plan (2018) Policies DC1 and DC2. However, based upon the harm identified above, the development would therefore fail to preserve the character and appearance of the conservation areas and would not accord with section 72 of Planning (Listed Buildings and Conservation Areas) Act 1990, and Local Plan policy DC8. Therefore, further consideration of the wider public benefits of the scheme is required and made elsewhere in this report.

7.0 IMPACT ON NEIGHBOURS' LIVING CONDITIONS

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;

- 6 Wellesley Avenue
- 7 Wellesley Avenue
- 8 Wellesley Avenue
- 10 Wellesley Avenue
- 11 Wellesley Avenue
- 13 Wellesley Avenue

- 23 Dorville Cres
- 25 Dorville Cres
- 27 Dorville Cres
- 29-31 Dorville Cres
- 33 Dorville Cres
- 35 Dorville Cres
- 1-9 Paddenswick Court
- 20A Paddenswick Road

7.10 100% of the assessed windows meet the recommendations for the VSC.

No-Sky Line (NSL): 98.1% of the assessed rooms meet the recommendations for the no-sky line. Only two rooms (room 7 at 8 Wellesley Avenue and room 24 at 13 Wellesley Avenue) fail to meet the recommendations. The loss of NSL will be moderate to room 7 and minor to room 24. It should be noted that the windows serving rooms 7 and 24 (W.7 and W.24) meet both the VSC and APSH criteria which demonstrates that these rooms will be adequately lit. Moreover, the existing value of W.7 is 44.1% with a reduction to 27.8% (37% reduction - moderate). W.7 is currently obstructed by a tree on the 8 Wellesley Avenue property. Therefore, the impact is considered to be minor, and the results would be acceptable. Additionally, room 24 is likely to be a non-primary room (hallway) as it is served by the back door. This room is seen to face a 22.5% loss of NSL which is only marginally above the 20% threshold. Both rooms have low NSL% values in the existing scenario as well (44% and 42%) which indicate low levels of light from the sky, therefore, the loss of light from the sky to this room is unlikely to significantly impact the occupants.

7.11 With regards to Annual Probable Sunlight Hours (APSH): The APSH have been calculated for all existing south facing windows. 98.8% of the analysed windows meet the recommendations for the APSH. Only one window (W.72b) at 35 Dorville Crescent marginally fails to meet the recommendations. This window is seen to experience a 26.3% loss of APSH which corresponds to a minor impact (below 30% reduction). The two windows serving room 72 meet the VSC criteria and W.72a meets the APSH criteria. Additionally, room 72 meets the NSL criteria, which demonstrates that this room will be adequately lit. Therefore, the impact will be minor, and the results would be acceptable.

7.12 The results of the technical analysis have shown that the vast majority of properties would experience no noticeable effects with the proposal in place. In the very small number of cases where potential noticeable effect is identified within the NSL analysis this is considered to be very marginal and based on best practice assumptions rather than actual floor plans. Given the high level of compliance within the VSC, APSH and garden assessments for assessed windows and open spaces, the proposal is therefore considered to be acceptable and in line with the overall intentions of the BRE guidelines and local planning policy.

Outlook/Sense of Enclosure

13 and 14 Wellesley Avenue

7.13 Proposed unit 4 which is a single storey structure would be positioned closest to

nos 13 and 14 Wellesley Avenue. There is an approx. 3.5m high boundary wall and the proposed unit 4 would achieve internal ceiling heights of 2.7m and only marginally project above the existing boundary wall. Moreover, proposed unit 3 at first and second floor level would not project beyond the rear building line of no. 13. As such, the impact on outlook and sense of enclosure to No. 13 is considered to be acceptable and would not represent a significant worsening of the situation compared to the existing structure. Moreover, no. 14 is a consented scheme which has been implemented but not yet built out. Similar to no. 13, given the single storey structure of proposed unit 4, no demonstrable harm to the living conditions of the future occupiers of no. 14 is identified.

11 Wellesley Avenue

7.14 Proposed unit 1 would lie closest to no. 11 Wellesley Avenue. At first floor the proposal would be set away approx. 3m away from this property. The existing structure is positioned right up to the boundary and has an apex height of approx. 9.08m. as a result of the proposed development, there would be a reduction in massing as the bulk of unit 1 would be set away from this shared boundary beyond the rear wall of the main house. As such, on balance the proposed scheme would represent an improvement to the outlook and perceived sense of enclosure to this neighbour, this is considered to be a greater public benefit over the consented office scheme. In addition, one vertical window is proposed on the flank wall facing no. 11 however this is a non-habitable room window and serves a vaulted ceiling staircase. Notwithstanding, a condition will be attached to ensure this window is obscure glazed to help alleviate the perceived sense of overlooking to this neighbouring property. Overall, the impact on outlook and sense of enclosure to No. 11 is considered to be acceptable and would not represent a significant worsening of the situation compared to the existing structure.

29-35 Dorville Crescent

7.15 The existing rear wall of the garage building cuts across the rear gardens of 29-33 Dorville Crescent at an oblique angle. Its shape mirrors the pitch of the roof and is therefore particularly high in its central section. The proposed scheme would represent a considerable improvement over the existing structure and also over the consented office scheme (in which the bulk/massing of the proposal is pulled deeper into the site). Similarly, to no. 11, the proposed flank window on Unit 1 although would lie more than 18m away from no. 35, to help alleviate residents perceived sense of overlooking, this window would be conditioned as obscure-glazed. Overall, the impact on outlook and sense of enclosure to Nos. 29-35 Dorville is considered to be acceptable and would not represent a significant worsening of the situation compared to the existing structure, and the extant office planning permission.

1-9 Paddenswick Court

7.16 Proposed Unit 1 will lie closest to these neighbours, which would be a single storey structure and would lie more than 18m away from this building. Overall, the proposed residential scheme would represent a marked improvement over the consented office scheme given the significant reduction in bulk and massing from the rear of the site. This would be considered to be a greater public benefit over the extant office planning permission.

7.17 Overall, the changes include reconfiguration of the massing when compared with the consented office scheme. The proposed residential scheme results in an improved sense of openness and improved outlook for neighbouring properties and accord with Key Principle HS6.

Privacy

7.18 Key Principle HS7 criteria (iii) states that new windows should normally be positioned so that the distance to any residential windows is not less than 18 metres as measured by an arc of 60 degrees taken from the centre of the proposed new window. If this standard cannot be met, then windows should be designed to ensure no loss of privacy will occur.

7.19 The proposals would achieve habitable room distances in excess of 18m, within a 60-degree arc in line with Key Principle HS7 of the Planning Guidance SPD. This includes consideration of 33 Dorville Crescent, in which respect officers note that bedroom 2 of unit 1 would be within less than 18m of the flank elevation of the rear return of no. 33 but there are no windows in that flank elevation except those beyond a 60-degree viewing angle from unit 1.

7.20 Similarly, with proposed House numbers 2 and 3, the rear bedroom windows would not breach the 18m distance and 60 degree viewing angle. Overall, none of the opposing residential properties would experience any loss of privacy as a result the proposed development. Indeed, some of the properties would experience a marked improvement when compared to the extant office planning permission. The proposal therefore accords with Policy HO11 and Key Principle HS7 of the Planning Guidance SPD.

Noise and Disturbance

7.21 With regard to noise and disturbance from the construction phase, whilst this is not grounds to withhold planning permission, if the application were to be approved, Officers would recommend a condition requiring a Demolition Management Plan and Construction management plan to be submitted, to ensure that the amenities of local residents were protected as far as possible during the demolition phase, in accordance with Local Plan Policies CC11 and CC13 (Control of potentially polluting uses).

7.22 Moreover, the Council's Environmental Protection Team raised no objection to the proposals. Matters relating to construction noise are covered alternative legislation under building regulations and environmental health and protection. An informative would be attached to clarify permitted hours for building work, construction and demolition works (0800 - 1800hrs Mondays to Fridays and 0800 - 1300hrs on Saturdays and at no other times, including Sundays and Public/Bank Holidays, unless otherwise agreed with the Environmental Health Officer). The informative will also require that neighbours be notified in writing of demolition/ building works at least 21 days prior to the start of any site works; contact details of a person responsible for the site works should be made available for enquiries and complaints for the entire duration of the works; best Practicable Means (BPM) should be used in controlling dust emissions, low vibration methods and silenced

equipment and machinery and no waste materials should be burnt on site.

8. TRANSPORT

- 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 The application site has a PTAL rating of 4 on a scale of 1-6b, which indicates good level of access to public transport. The site falls within a Controlled Parking Zone ('Parking Zone L'). This restricts car parking to resident/business permit holders (excluding blue badge holders) and Pay-and-Display parking between the hours of 9am to 5pm Monday to Friday, during which time Pay-and-Display parking is available for a maximum of 8 hours.
- 8.7 At present, the site is served by two drop kerb vehicle access points from Wellesley Avenue which provide the opportunity to park on site. There is also a single sub-standard on-street parking bay, which measures 3.5m, directly fronting the site on Wellesley Avenue. The proposals seek to remove the existing vehicle accesses to the site and reinstate the full kerb and footway. This would allow the

creation of an additional c.20m of on street parking bays, which could provide up to 4 spaces. These works would require the developer to enter into a Section 278 agreement with the Council, which would be secured within the legal agreement.

- 8.8 In contrast to London Plan Policy T6.1, which requires development to be car-free, Local Plan Policy T4 (Vehicle Parking Standards) establishes a parking allowance of up to 2 spaces per 4-bedroom residential unit and up to 1.5 spaces per 3-bedroom unit. The proposals would comply with these requirements. Although Policy T4 also refers to the use of permit restrictions for sites with a 'PTAL' higher than 2, on balance however, it is considered acceptable for each new dwelling to be eligible for one parking permit within Zone L, as the proposals would increase overall CPZ capacity, and significantly reduce vehicle use compared to the current commercial use—resulting in no net impact on parking pressure in the local area. The restrictions of one parking permit per dwelling would be secured within the legal agreement. In addition to this, it is considered that the removal of the existing crossovers and the reinstatement of kerb and footway would provide an enhanced public footway, which would be of benefit to all pedestrians and especially those with mobility aids or visual impairments.
- 8.9 In order to demonstrate that the proposals would not have any adverse impacts upon traffic generation or congestion, a Transport Statement, prepared by Meyer Brown, has been submitted as part of this application. The TRICS database was consulted as part of the Trip Generation exercise, which has demonstrated that the proposed residential development would result in a decrease of 18 vehicle movements during the AM peak, and 13 vehicle movements during the PM peak when compared to the site's existing B2 use. Furthermore, the proposed residential use would see eliminate any trips to the site by Heavy Goods Vehicles which are associated with the existing use. The Statement concludes that the development proposals represent a significant benefit in terms of impact to the local transport network compared to the existing use of the site. It also finds that the proposals would have no material impact compared to the extant permission for the commercial (office) re-development of the site.
- 8.10 In summary, the reduction in vehicle trips compared to the existing lawful use of the site (Class B2) is a material consideration which weighs in favour of allowing the homes to benefit from one CPZ permit per property. As established by the submitted Transport Statement, the proposals would also represent a marked improvement over the existing lawful use of the site in transport terms. It follows that the proposals would fully satisfy the key test set out in Paragraph 115 of the NPPF, which stipulates that development proposals should only be prevented or refused on highways grounds where there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 8.11 Accordingly, and on the balance of site-specific factors relevant to the determination of this application, the development proposals are considered to accord with Paragraph 115 of the NPPF and with the Development Plan when read as a whole, with respect to transport and parking and taking into account the overall planning balance.

Cycle Parking

- 8.12 Policy T1 of the Local Plan 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 specifies that cycle parking should be fit for purpose, secure and well-located, with the following standards for residential accommodation:
- o 1 space per studio unit or 1-person, 1-bedroom dwelling
 - o 1.5 spaces per 2-person, 1-bedroom dwelling
 - o 2 spaces per all other dwellings.
- 8.13 As such, space for a minimum of 2 cycles must be provided for each proposed dwelling. Two spaces are shown on plans within the front gardens of each of the three properties fronting Wellesley Avenue. The proposed location of the storage is considered to be acceptable. Space for 2 cycles is shown within the access alley for the dwelling at the rear of the site. Although this is not considered to be appropriate, Officers are comfortable that an improved amended location can be secured by way of a details condition prior to occupation.
- 8.14 A condition is recommended requiring further details regarding the type and dimensions of all spaces to be submitted, to ensure they meet West London Cycle Parking Guidance (WestTrans) and the London Cycle Design Standards (LCDS) and to ensure full compliance with Local Plan Policy T3.

Refuse, Recycling and Servicing

- 8.15 Similarly to the cycle parking provisions, the submitted drawings and Transport Statement cover the requirements for refuse and recycling storage and servicing arrangements. In-line with the existing refuse collection and servicing arrangements along Wellesley Avenue, refuse will be collected (as part of LBHF's existing refuse collection services) and deliveries made by vehicles waiting on-street. Each of the proposed houses' wheelie bins will be located within their front garden, and at the southern end of the 'Access Alley' in the case of House 4. These details are not shown on the proposed plans at this stage however, officers understand there is sufficient capacity within the site to provide satisfactory arrangements.
- 8.16 A condition is recommended requiring a detailed refuse management strategy including the bin storage location to be submitted to ensure compliance with Local Plan (2018) Policy CC7 and Key Principle WM4 and Appendix 5 of the Planning Guidance SPD.
- 8.17 To mitigate the impact of the development on local roads during demolition and construction, a condition requiring a Demolition and Construction Logistics Plan would also be recommended in accordance with Local Plan Policy T7 and Key Principle TR27.
- 8.18 Similarly to the cycle parking provisions, the submitted drawings and Transport Statement cover the requirements for refuse and recycling storage and servicing arrangements. Officers are satisfied that there is sufficient capacity for the site to provide adequate refuse and recycling arrangements.

- 8.19 A condition is recommended requiring a detailed refuse management strategy to be submitted to ensure compliance with Local Plan (2018) Policy CC7 and Key Principle WM4 and Appendix 5 of the Planning Guidance SPD.
- 8.20 To mitigate the impact of the development on local roads during demolition and construction, a condition requiring a Demolition and Construction Logistics Plan would also be recommended in accordance with Local Plan Policy T7 and Key Principle TR27. In addition to this, a monitoring fee of £5,000 will be secured within the legal agreement to ensure that the Demolition and Construction activities are carried out in accordance with any approved documentation.

9. ENVIRONMENTAL CONSIDERATIONS

Tree Protection and Biodiversity

- 9.1 Local Plan Policy OS5 states that the Council will seek to prevent the removal or mutilation of protected trees, making Tree Preservation Orders where necessary on the grounds of visual amenity. In this case, there are no trees within the Site boundary; however there are a small number of trees on land surrounding the site. The application is supported by an Arboricultural Impact Assessment which outlines that some trees may need some maintenance, pruning works. This work will ensure that the trees are not inadvertently damaged during demolition or construction and will ensure a reasonable clearance for the work and provide a framework for the future management of overhanging growth into the future.
- 9.2 The proposed development will be carried out in accordance with the Tree Protection Plan provided in Appendix D of the Assessment. While the Plan provides for the pruning of several trees to facilitate the demolition and construction works, no trees will need to be removed entirely. Accordingly, it is considered that the proposed development can be achieved without significant impact on the health or amenity of the surrounding trees. The proposals will therefore accord with Policy OS5 with respect to the retention of existing trees.
- 9.3 Under the statutory framework for Biodiversity Net Gain ('BNG') introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021), subject to certain exceptions, every grant of planning permission in England is deemed to have been granted subject to the condition that the biodiversity gain objective is met. This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the on-site habitat. This increase can be achieved through on-site biodiversity gains, registered off-site biodiversity gains or statutory biodiversity credits.
- 9.4 The specific exemptions from BNG are set out in Paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024.
- 9.5 The proposals are considered to be subject to the de minimis exemption, as they would neither impact a priority habitat nor impact more than 25 square metres of other on-site habitat, or 5 metres of linear habitats such as hedgerows. On this basis the biodiversity condition should not be applied to any planning permission issued in relation to this proposal.

- 9.6 Nevertheless, the proposals will provide several biodiversity-enhancing measures, such as sedum roofs and wider soft landscaping works, in response to planning policy. On this basis, the proposals are considered to be acceptable in terms of their biodiversity impacts.

Flood Risk and Sustainable Drainage (SuDs)

- 9.7 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.
- 9.8 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 surfacing should normally be resisted unless they can be shown to be unavoidable and that drainage should be designed and implemented to address water efficiency, water quality, biodiversity and recreation.
- 9.9 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.
- 9.10 This site is located in the Environment Agency's Flood Risk Zone 3. A Flood Risk Assessment (FRA) has been provided. This reports confirms the inclusion of structural waterproofing measures and non-return valves, as well as additional flood resilience measures. These measures are considered to be adequate and the FRA is subject to a condition.
- 9.11 Although in Flood Zone 3, the site is well protected from flood risk from the River Thames by flood defences such as the Thames Barrier and local river walls. However, if these defences were breached or over-topped, there is a risk of floodwater reaching the site (2100 scenario). The site is not in a surface water flooding hotspot and groundwater / internal sewer flood risks are also low as there is no basement proposed.
- 9.12 In order to mitigate the flood risks, the FRA notes that the Finished Floor Levels (FFLs) will be set at +4.70mAOD for 3 properties and +4.80mAOD for the 4th which is above the modelled flood water levels in a worst case breach/over-topping scenario. Raised floor levels also provide protection against other potential flood incidents due to intense rainfall etc. In the event of an emergency occupants of the new dwellings would have access to higher floors to take refuge if necessary. Additional measures are proposed in the form of non-return valves on the drainage system and inclusion of Sustainable Drainage Systems (SuDS) which are detailed in a separate Drainage Strategy Report. Measures such as reducing impermeable area by introducing soft landscaping in garden spaces and green roofs as well as permeable paving and water butts for each plot.
- 9.13 Additional storage will also be provided via small attenuation tanks with controlled

release of stormwater to the sewer network restricted to 2l/s which would represent a reduction of 92% for the discharges from a 1 in 100 year storm. 2 l/s is above the greenfield rate for the site (1 l/s) but this level of improvement is considered to be acceptable for a small site. No objection to the proposals in terms of flood risks/surface water management. The implementation of the measures as outlined in the FRA and Drainage Strategy will be conditioned.

- 9.14 Subject to the recommended conditions and informative, the proposed development would accord with London Plan Policies SI12 and SI13 and Local Plan Policies CC3 and CC4.

Energy and Sustainability

- 9.15 The Local Plan (2018) outlines the Council's goal to make the borough the greenest and environmentally sustainable by 2035. This includes requiring new developments to reduce energy use, minimize non-renewable resources, and promote low or zero-carbon technologies to cut carbon emissions and harmful air pollutants. Major developments, in particular, will be held to these standards, as buildings are the primary source of carbon emissions in H&F.
- 9.16 Local Plan Policy CC1 (Reducing Carbon Dioxide Emissions) requires all major developments to implement energy conservation measures with a view to reducing carbon dioxide emissions. The policy, however, refers to the previous version of the London Plan and as such has been partly superseded by the more up to date requirements contained in the new London Plan. Local Plan Policy CC2 (Sustainable Design and Construction) seeks to ensure the implementation of sustainable design and construction measures by implementing the London Plan sustainable design and construction policies.
- 9.17 Although this application is not a major development, an Energy Assessment, Sustainability Statement and Whole Life Carbon Comparison Study have been submitted with the application. These are not a planning policy requirement as such, given the small-scale nature of the proposals, but inclusion of sustainable design and construction measures is encouraged in smaller developments such as this, so the provision of this supporting information is welcomed.
- 9.18 Energy efficiency measures are proposed beyond those required as minimum by the Building Regulations to help improve the energy performance of the new dwellings and reduce heat loss in particular. Air Source Heat Pumps are also proposed as part of the space heating and hot water system and solar PV panels will be mounted on the roof areas to generate electricity on site.
- 9.19 Overall, CO₂ savings of **76%** are projected for the scheme compared to the minimum requirements of the Building Regulations, which is welcomed. Compared to the previously proposed scheme on this site which was an office use, the residential redevelopment is shown in the Whole Lifecycle Carbon assessment to have a lower carbon footprint.
- 9.20 Additional sustainability measures are also proposed to manage waste and promote recycling, improve water efficiency, source materials with reduce environmental impacts etc. The implementation of the carbon reduction and sustainability measures as outlined in the Energy Assessment and Sustainability

Statement will be conditioned to ensure the proposed measures are included.

9.21 The proposed development accords with Policies SI 2, SI 3 and SI 4 of the London Plan 2021 and Policies CC1, CC2 and CC7 of the Local Plan 2018.

Contaminated Land

9.22 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.

9.23 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. The Council's Contaminated Land Team have considered the proposals and raise no objections to subject to conditions. The proposals would accord with Policy CC9 of the Local Plan.

Air Quality

9.24 NPPF (2024) Paragraph 199 relates to air quality, and states planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan. The councils Air Quality Action Plan 2025-2030 was approved and adopted by the council on the 16th of December 2024.

9.25 The development site is within the borough wide Air Quality Management Area (AQMA) and in an area of existing poor air quality due to the road traffic emissions from Paddenswick Road (B408) and Goldhawk Road (A402).

9.26 The Council's Air Quality team have reviewed the application and recommended conditions to secure details of air quality mitigations to ensure the development is in accordance with Local Plan Policies CC1 and CC10, London Plan Policy SI 1, and the councils Air Quality Action Plan.

10. COMMUNITY INFRASTRUCTURE LEVY

10.1 Mayoral CIL (Community Infrastructure Levy) came into effect in April 2012 and is a material consideration to which regard must be had when determining this planning application. Under the London wide Mayoral CIL the development according to the figures provided in the applicant's mayor CIL form is estimated to be liable for a £58,792 + indexation payment. The GLA expect the Council, as the Collecting Authority, to secure the levy in accordance with London Plan Policy 8.3 (Community Infrastructure Levy).

10.2 The borough's own community infrastructure levy came into effect on 1st September 2015. The site is located in the 'Central B' charging zone. The rate for this zone for the creation of residential floorspace is £200/sq.m. The proposed development is estimated to be liable for a payment of £146,980 + indexation

under the borough's CIL. This payment would go towards infrastructure projects and needs including health, education, community safety, leisure and parks, waste and street enforcement, community investment, economic development, libraries, environmental health, drainage and flooding, basic transport infrastructure and public realm improvement.

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 which are the 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 reasonably commensurate the scale and type of development proposed. 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 and impacts 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 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) Enter into a S278 Agreement to fund any necessary highway works arising from the development to the footway and including the removal of the crossover on Wellesley Avenue;
 - 2) AQDMP Compliance monitoring of £5000 per annum of the demolition and construction phases of the development;

- 3) Construction Monitoring obligation £5000 per annum;
- 4) Financial Contribution of £240,000 that will contribute to:

Public realm, environmental improvements, and economic development to support delivery of the Council's Industrial Strategy (or any successor to it), including to support employment, skills and local procurement activities;
- 5) A commitment to meet the costs of the Council's associated legal fees.
- 6) A limit of 1 car parking permit per approved unit under Section 16 of the Greater London Council (General Powers) Act 1974.

11. CONCLUSIONS

- 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 summary, Officers consider that the proposed development would be appropriate in terms of land use, design and scale, and that it would not cause demonstrable harm to the amenities of neighbouring residents.
- 11.3 Harm has been identified to the Ravenscourt and Starch Green conservation area through introduction of a second floor, but the harm is identified at the lower end of less than substantial harm. In line with local policy and the NPPF, this level of harm to the conservation area, has been considered against the public benefits coming forward as part of the scheme. These benefits include:
 - Provision of four new energy efficient homes, (large family housing units) in a sustainable location.
 - Introduction of residential use to replace the existing B2 light Industrial use, is more compatible with the prevailing character and appearance of the surrounding area.
 - Contributions listed in para 10.8.
 - Improvements in residential amenity when compared to the extant office planning permission.
- 11.4 Taking into account the NPPF tests, it is considered this less than substantial harm is counter-balanced and outweighed by the substantial public benefits that the proposal would deliver.
- 11.5 The proposals would contribute towards an identified housing need and local housing target on previously developed land and would make efficient use of this previously developed site, by optimising the residential element within a well-designed scheme that is in keeping with the character and appearance of the street scene and the surrounding area. Highways, transportation and environmental matters including energy and sustainability, flood risk, air quality, land contamination and ecology have also been satisfactorily addressed and will

be subject to conditions/planning obligations. In these respects, the proposals comply with the relevant policies of the NPPF (2024), the London Plan (2021), the Local Plan (2018) and the relevant Key Principles within the 'Planning Guidance' (2018) and 'Climate Change' (2023) Supplementary Planning Documents.

11.6 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 legal agreement.

11.7 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.

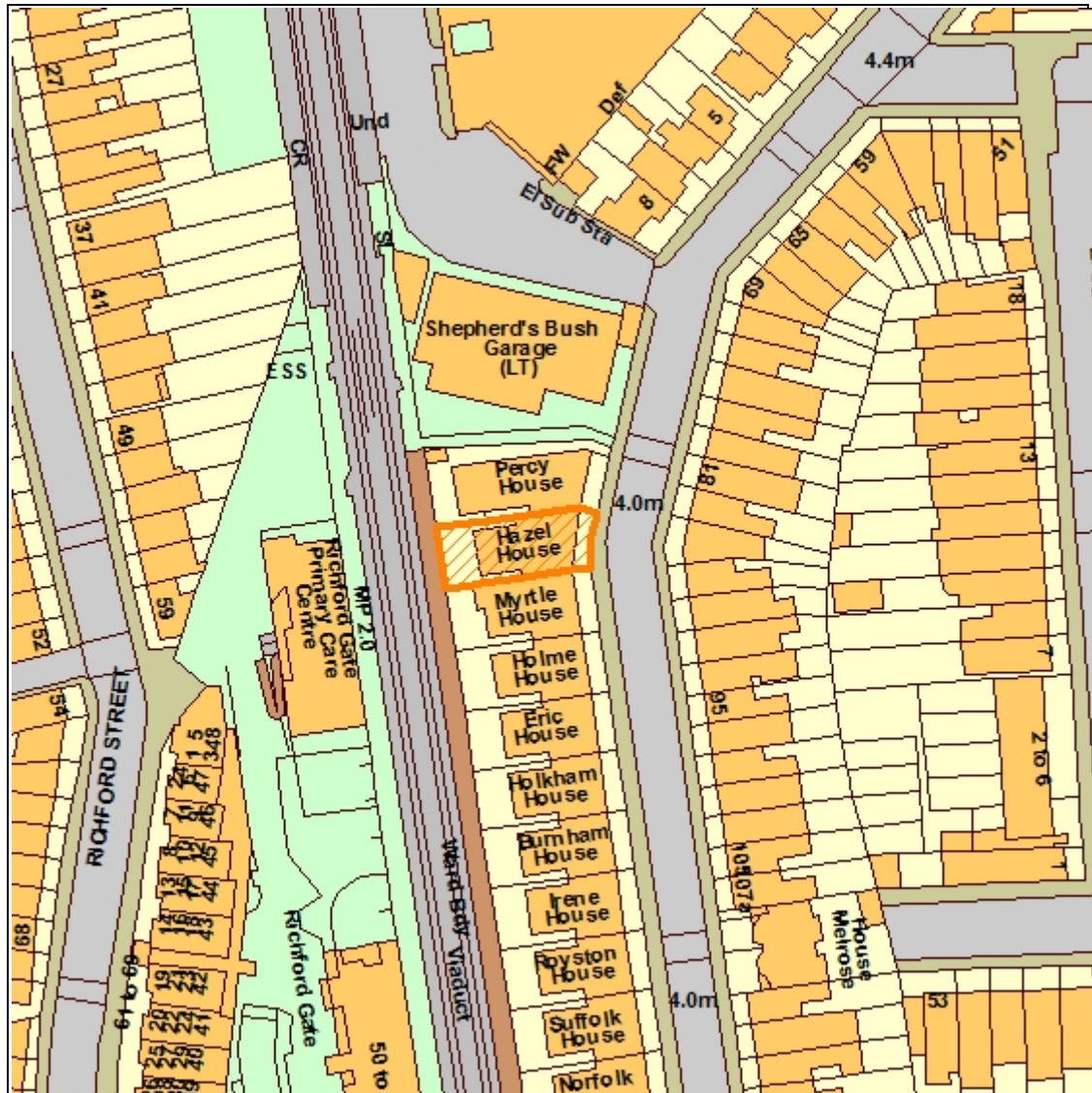
12. RECOMMENDATION

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

Ward: Addison

Site Address:

Hazel House Sulgrave Road London W6 7QF



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For identification purposes only - do not scale.

Reg. No:

2024/03159/FUL

Case Officer:

Sian Brown

Date Valid:

03.01.2025

Conservation Area:

Constraint Name: Melrose Conservation Area -
Number 26

Committee Date:

08.07.2025

Applicant:

Mr Nadeem Fazlani
124 Balfour Road Ilford IG1 4JD UK

Description:

Erection of a rear roof extension involving an increase in the ridge height by 300mm, in connection with the creation a new self-contained studio flat; alterations to part of the roof of the back addition to incorporate a flat roof and the erection of 1.7m high obscure glazed privacy screening around the resultant flat roof at third floor level to the rear elevation, in connection with its use as a terrace.

Drg Nos: Refer to condition 2.

Application Type:

Full Detailed Planning Application

Officer Recommendation:

(1) That the Committee resolve, that the Director of Planning and Property be authorised to grant 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 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:

TRQ/201 Rev B; TRQ/202 Rev A; TRQ/203 Rev A; TRQ/204; TRQ/205 Rev A

Sound Insulation Specification (ref:1906191NR, dated 4th July 2019) prepared by Peak Acoustics Ltd.

To ensure full compliance with the planning application hereby approved and to

prevent harm arising through deviations from the approved plans.

- 3) The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground), have been submitted to and approved in writing by the local planning authority which:

- Provide construction details on the rear roof extension;
- Provide details on the use of tall plant, scaffolding and lifting equipment;
- Accommodate the location of the existing London Underground structures - the property is adjacent to the open section of TfL's operational railway. To ensure safety of TfL's railway from debris falling during construction or things being thrown post construction, any opening windows, balconies or terraces facing the railway elevation will require prior approval from LU Engineers and mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with the London Plan 2021, draft London Plan policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

- 4) 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).

- 5) In line with achieving 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/external terrace areas ($L_{nT,w}$) separating different types of rooms/ uses in adjoining dwellings, the specifications and recommendations within the approved report: Sound Insulation Specification (ref:1906191NR, dated 4th July 2019) prepared by Peak Acoustics Ltd, will be fully implemented prior to occupation of the development hereby approved and thereafter be permanently retained as such.

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).

- 6) Prior to commencement of the development, a noise assessment shall be submitted to the Council for approval of external noise levels, including 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 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.

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).

- 7) The terrace hereby approved shall not be first used until the privacy screening has been installed as shown on approved drawing nos. TRQ/201 Rev B; TRQ/202 Rev A and TRQ/205 Rev A. The privacy screening shall achieve a minimum level of obscurity equivalent to Pilkington Texture Glass Level 3 and shall have a height of 1.7m above the finished floor level of the terrace along the flank elevations of the terrace hereby approved. The privacy screening to the rear elevation of the terrace shall have a height of 1.7m above the finished floor level of the terrace hereby approved. The privacy screening shall thereafter be permanently retained as approved.

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

- 8) Other than the area shown as a terrace on the approved plans no part of the remainder of the roof atop of the existing back addition or atop the rear roof extension hereby approved 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).

- 9) The refuse, recycling and bicycle storage shall be installed in accordance with the details on approved drawing Nos. TRQ/202 Rev A and TRQ/204 prior to occupation of the self-contained residential unit hereby approved. The refuse, recycling and bicycle storage shall thereafter be permanently maintained for the lifetime of the development.

To ensure a satisfactory provision of refuse, recycling and bicycle storage, in accordance with Policy T5 of the London Plan (2021) and Policy CC7 of the Local Plan (2018).

- 10) The rear roof lights hereby approved shall be conservation style roof lights and thereafter permanently retained in this form.

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

- 11) No water tanks or water tank enclosures shall be erected upon the remainder of the roof atop of the existing back addition or atop the roof of the rear roof extension hereby permitted.

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

- 12) Prior to occupation of the development, details (including manufacturer specification, installation/commissioning certificates, gas supply/meter site clear certificate, and photographic confirmation) of the installed Air Source Heat Pump (ASHP), Heat Battery Boiler, Electric Boiler or alternative electrical only heating systems to be provided for space heating and hot water for the self-contained dwellinghouse (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 safeguard local air quality in the councils boroughwide air quality management area, in accordance with Local Plan Policies CC1 and CC10 and the councils Air Quality Action Plan.

- 13) Prior to occupation of the development hereby permitted, details (including manufacturer specification, installation/commissioning certificates, gas supply/meter site clear certificate, and photographic confirmation) of the installed electric induction cooking appliance in the kitchen of the self-contained dwellinghouse (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 Local Plan Policy CC10 and the councils Air Quality Action Plan.

- 14) Prior to occupation of the development hereby permitted, details (including manufacturer specification, installation/commissioning certificates and photographic confirmation) of the installed Waste Water Heat Recovery System

(WWHRS) for the self-contained dwellinghouse (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 increase energy efficiency in domestic buildings and to safeguard local air quality in the councils boroughwide air quality management area, in accordance with Local Plan (2028) Policies CC1 and CC10 and the councils Air Quality Action Plan.

Justification for Approving the Application:

- 1) The proposal would result in the net-gain of one residential unit, contributing towards the Borough's housing targets, whilst ensuring a satisfactory standard of accommodation for future occupants. Furthermore, the proposed alterations to the parent building would be of an acceptable design and appearance and would preserve the character and appearance of the Melrose conservation area and the setting of Hammersmith Grove conservation area. The proposal would mitigate against unduly detrimental harm to the amenity of neighbouring occupants, as well as highways/parking and flood risk. In these respects, the proposal would be compliant with, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Sections 5, 12 and 16 of the National Planning Policy Framework (2024), Policies D6, D12, D14, H1, HC1, T5 and T6 of the London Plan (2021), Policies CC3, CC7, CC10, CC11, CC13, DC1, DC4, DC8, HO1, HO4, HO11, T1, T3 and T4 of the Local Plan (2018) and Key Principles CAG3, HS6, HS7, HS8 and NN3 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: 10th December 2024
Drawing Nos: see above

Policy documents: National Planning Policy Framework (NPPF) 2024
The London Plan 2021
LBHF - Local Plan 2018
LBHF – Planning Guidance Supplementary Planning Document
2018

Consultation Comments:

Comments from:

Crime Prevention Design Advisor - Hammersmith
Thames Water - Development Control
Transport For London - Road Network Development
Transport For London - Land Use Planning Team

Dated:

24.01.25
06.01.25
08.01.25
15.01.25

Neighbour Comments:

Letters from:

Dated:

Flat 1, Hazel House Sulgrave Road London W6 7QF	05.01.25
Flat 4, Hazel House Sulgrave Road London W6 7QF	29.01.25
Flat 4, Hazel House Sulgrave Road London W6 7QF	29.01.25
Storchengasse 14 Zürich 8001	04.02.25
Flat 1, Hazel House Sulgrave Road London W6 7QF	04.01.25
Flat 5, Burnham House Sulgrave Road W6 7QW	28.01.25
Flat 5, Hazel House Sulgrave Road London W6 7QF	23.01.25

1.0 SITE DESCRIPTION

- 1.1 On the eastern side of Sulgrave Road is a row of twelve three-storey, double bay fronted, Victorian residential buildings. The names of these twelve buildings going from south to north are as follows: Alexandra House, Norfolk House, Suffolk House, Royston House, Irene House, Burnham House, Holkham House, Eric House, Holme House, Myrtle House, Hazel House and Percy House. The properties are all purpose built as flats.
- 1.2 The current application relates specifically to Hazel House, which accommodates a total of six flats, two per floor. Hazel House is not a Listed Building or a locally listed Building of Merit, although it is situated within the Melrose Conservation Area.
- 1.3 The site has a Public Transport Accessibility Level (PTAL) of 6a (excellent).
- 1.4 The site is located in Environment Agency's Flood Risk Zones 2 and 3.

2.0 RELEVANT PLANNING HISTORY

- 2.1 Officers highlight that there is extensive planning history for the buildings referred to in paragraph 1.1 of this committee report, as outlined below.

+ Subject terrace:

2007/00434/FUL - Erection of a rear roof extension on each building (Percy House / Hazel House / Myrtle House / Holme House / Eric House / Holkham House / Burnham House / Irene House / Royston House / Suffolk House / Norfolk House), including an increase in the existing ridge height in each case by up to a maximum of 300mm. The application was granted planning permission on 10.04.2007.

2015/05734/FUL - Erection of rear roof extensions, erection of rear extensions at third floor level over part of the existing back additions in connection with the creation of self-contained studio flats and the formation of roof terraces at third floor level on top of each property: Hazel House, Myrtle House, Holme House, Holkham House, Burnham House, Royston House, Suffolk House and Norfolk House. The application was refused planning permission on 18.07.2016, for the following reasons:

- 1) Excessive density/over development; 2) Inadequate cycle and refuse storage; 3) Unneighbourly development; 4) Visual amenity; 5) noise disturbance resulting from the high-level roof terraces; and 6) Absence of sustainable drainage and impact on flooding.

The subsequent appeal (appeal ref. APP/H5390/W/16/3160276) was dismissed on 27.01.2017 solely on grounds of design and character and appearance (Reason for refusal 4). All other reasons for refusal were not upheld by the Planning Inspector.

2.2 In addition to the joint planning history above, there is also planning history relating to individual buildings, as outlined below.

+ Irene House

2014/02692/FUL - Erection of a rear roof extension, involving an increase in the ridge height by 300mm; installation of two rooflights in the front roofslope. The application was granted planning permission on 04.08.2014.

+ Percy House

2015/00344/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm including the raising of the party walls and chimney stack and formation of a roof terrace (Amendments to previously approved planning permission ref: 2013/01607/FUL). The application was granted planning permission on 25.06.2015.

+ Eric House

2015/04272/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm including the raising of the party walls and chimney stack and formation of a roof terrace (Amendments to previously approved planning permission ref: 2013/01607/FUL). The application was granted planning permission on 25.06.2015.

+ Holkham House

2017/03247/FUL - Erection of a rear roof extension; erection of a rear extension at third floor level over part of the existing back addition; alterations to part of the roof of back addition to incorporate a flat roof and the erection of privacy screen around the flat roof at third floor level to the rear elevation in connection with its use as a terrace. The application was granted planning permission on 17.11.2017.

+ Hazel House (subject property)

2018/01617/FUL: Erection of a rear roof extension involving an increase in the ridge height by 300mm, in connection with the formation of 1no. self-contained studio flat; removal of part of the pitched roof of the back addition at third floor level to form a roof terrace enclosed with a 1700mm high obscured glazed screen atop part of the back addition; installation of French doors to the rear elevation at third floor level in order to allow access to the proposed roof terrace. The application was refused planning permission on 14.09.2018, for the following reasons:

- 1) Quality of residential accommodation, and internal stacking arrangement meant that the amenity of occupiers would be adversely affected by noise and vibration.

2019/00670/FUL - Erection of a rear roof extension involving an increase in the ridge height by 393mm in connection with the creation of 1 x self-contained studio flat; alterations to part of the roof of back addition to incorporate a flat roof and the erection of privacy screen around the flat roof at third floor level to the rear elevation in connection with its use as a terrace. The application was refused planning permission on 01.05.2019, for the following reasons:

- 1) Visual amenity: excessive increase in ridge height (393mm) including a step, and an almost vertical rear roof slope (83 degrees) would be out of keeping with the prevailing pattern of development established throughout the terrace, and would harm the character and appearance of the Melrose Conservation Area; and 2) Substandard living environment: noise and vibration due to non-uniform room stacking.

The subsequent appeal (appeal ref. APP/H5390/W/19/3235745) was dismissed on 20.12.2019 solely on grounds of design and character and appearance.

2020/00806/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm in connection with the creation of a self-contained studio flat; alterations to the roof of back addition to incorporate a flat roof and the erection of privacy screen around the flat roof at third floor level to the rear elevation in connection with its use as a terrace. The application was refused planning permission on 02.07.2020, for the following reasons:

- 1) Visual amenity: steep rear roof slope out of keeping with the prevailing pattern of development established throughout the terrace, and would harm the character and appearance of the Melrose Conservation Area; 2) Substandard living environment; and 3) Inadequate cycle parking.

2020/02012/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm in connection with the creation of a self-contained studio flat; alterations to the roof of back addition to incorporate a flat roof and the erection of privacy screen around the flat roof at third floor level to the rear elevation in connection with its use as a terrace. The application was refused planning permission by the Planning Committee on 13.11.2020, for the following reasons:

- 1) Substandard living environment; 2) Impact to character of conservation area; 3) Inadequate cycle parking and refuse storage and 4) Impact to residential amenity: noise and vibration due to non-uniform room stacking and inadequate sound

insulation.

The subsequent appeal (appeal ref. APP/H5390/W/20/3263632) was allowed on 14.06.2021.

2024/02559/CLE - Implementation of planning permission ref: 2020/02012/FUL approved under appeal ref: APP/H5390/W/20/3263632 on 14th June 2021 for the 'Erection of a rear roof extension involving an increase in the ridge height by 300mm in connection with the creation of a self-contained studio flat; alterations to the roof of back addition to incorporate a flat roof and the erection of privacy screen around the flat roof at third floor level to the rear elevation in connection with its use as a terrace.' The application was refused on 4th December 2024 as the evidence submitted failed to demonstrate beyond reasonable doubt that the development as approved under planning permission 2020/02012/FUL either commenced at all, or within 3 years of the decision date (14th June 2024).

2.3 The following applications have subsequently been approved, following the allowed appeal (appeal ref. APP/H5390/W/20/3263632) at Hazel House.

+ Holme House

2021/03992/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm in connection with the creation a new self-contained studio flat; alterations to part of the roof of the back addition to incorporate a flat roof and the erection of privacy screens around the resultant flat roof at third floor level to the rear elevation in connection with its use as a terrace. The application was granted planning permission on 11.02.2022.

+ Myrtle House

2022/00833/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm in connection with the creation a new self-contained studio flat; alterations to part of the roof of the back addition to incorporate a flat roof and the erection of privacy screens around the resultant flat roof at third floor level to the rear elevation in connection with its use as a terrace. The application was granted planning permission on 07.07.2022.

+ Burnham House

2024/00254/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm, in connection with the creation a new self-contained studio flat; alterations to part of the roof of the back addition to incorporate a flat roof and the erection of 1.7m high obscure glazed privacy screening around the resultant flat roof at third floor level to the rear elevation, in connection with its use as a terrace. The application was resolved to be granted planning permission at Planning Committee on 04.03.2025.

3.0 PROPOSAL

3.1 This planning application seeks planning permission for the 'Erection of a rear roof extension involving an increase in the ridge height by 300mm, in connection with the creation a new self-contained studio flat; alterations to part of the roof of the

back addition to incorporate a flat roof and the erection of 1.7m high obscure glazed privacy screening around the resultant flat roof at third floor level to the rear elevation, in connection with its use as a terrace'.

- 3.2 The proposals in effect seek to reapply for planning permission for the same works under ref: 2020/02012/FUL approved under appeal ref: APP/H5390/W/20/3263632 on 14th June 2021, which expired 14th June 2024.

4.0 CONSULTATIONS

+ Consultation

- 4.1 67 surrounding properties were notified of the proposal via letter.

- 4.2 A site notice and a press notice were displayed/published.

- 4.3 A total of 7 representations have been received (2 from the same occupier), which object to the proposal on the following grounds:

- Previous planning applications for this group of buildings have been refused both by the Council and by the Planning Inspectorate
- Cynical tactic of repeat planning applications by the same applicant
- Insufficient provision for refuse and recycling storage for occupants of the proposed residential unit; and this will exacerbate existing issues of refuse storage provision
- Noise and disturbance to the communal hallway
- Noise and disturbance to flats below
- Noise generated by the terrace - non-uniform stacking
- Noise and disruption during building phase
- Cycle storage is located in an electrical and gas intake cupboard - impractical and noise to neighbouring properties
- Lack of detail regarding fire risk
- Poor standard of accommodation - low ceiling heights and small floor area
- New staircase would reduce accessibility of landing area to existing residents and in cases of emergency
- The flat could be used as Air B&B causing increased noise and disturbances
- The application should be determined by the Planning Committee.
- The proposal would result in the over-development of the application site
- The proposal would fail to preserve or enhance the character and appearance of the Melrose Conservation Area.
- The proposal would result in detrimental harm to the amenity of neighbouring occupants with regard to overlooking/privacy and loss of light
- Failure to consult residents in relation to works to the chimneys, removal of water tanks in the loft space, re-routing of services
- What controls are in place to ensure only 1 person lives in the flat
- Sound proofing not adequate

4.4 Officer response:

- The material planning considerations have been considered and assessed as part of this committee report;

- Environmental Health legislation and Building Control Regulations would be relevant with regard to noise and disturbance associated with construction works, and final details of fire safety.

+ External consultee responses

- 4.5 Design out Crime (Metropolitan Police) - confirm they have no comments to make.
- 4.6 Transport for London (TfL) Infrastructure Protection - No objection, subject to a condition securing the submission of a detailed design and method statement, in consultation with London Underground.
- 4.7 Transport for London (TfL) Spatial Planning - confirm they have no comments to make.
- 4.8 Thames Water - confirm they have no comments to make.

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 2024)

- 5.4 The National Planning Policy Framework (NPPF) came into effect on 27 March 2012 and was revised in 2024 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 Officers consider that the proposal would raise the following material planning considerations:

- Principle of land use and housing supply
- Quality of the proposed residential accommodation
- Design and heritage
- Impact upon neighbouring amenity
- Highways/parking and refuse/recycling
- Flood risk
- Air quality
- Fire safety
- Biodiversity Net Gain

PRINCIPLE OF LAND USE AND HOUSING SUPPLY

+ Land use

6.2 Hazel House currently contains six self-contained residential units. The proposal would result in the net-gain of one residential unit, and accordingly, would be compatible with the existing land use.

+ Housing supply

6.3 The provision of housing is a significant issue, with paragraph 60 of the National Planning Policy Framework (NPPF, 2024) 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 2029. Policy HO1 of the Local Plan (2018) specifies that H&F will seek to provide at least 1,031 new residential dwellings up to 2035.

- 6.4 The proposal would result in the net-gain of one self-contained dwelling, which would contribute towards the Borough's housing supply targets. Accordingly, the provision of residential accommodation would be considered acceptable in principle, consistent with Paragraph 60 of the NPPF (2024), Policy H1, Table 4.1 of the London Plan (2021) and Policy HO1 of the Local Plan (2018).

QUALITY OF THE PROPOSED RESIDENTIAL ACCOMMODATION

- 6.5 Policy D6 of the London Plan (2021) places a significant focus on internal space standards for dwellings, and seeks to ensure that all new housing are of a high quality design and provide adequately sized rooms with comfortable and functional layouts which are fit for purpose and offer the potential to be occupied over time by households of all tenures.
- 6.6 The Nationally Described Space Standards (NDSS) is also relevant with regard to internal space standards.
- 6.7 Policies HO4 and HO11 of the Local Plan (2018) requires all housing to provide a high-quality residential environment and be well designed internally and externally. Planning Guidance SPD Key Principles HS1 and HS2 are also relevant with regards to internal space and amenity space provision.

+ Internal space standards (unit size and finished floor to ceiling height)

- 6.8 The proposal would involve the creation of new residential floorspace, and accordingly officers consider that the proposed residential unit should be assessed against the unit sizes outlined within Policy D6 of the London Plan (2021), the NDSS (2015) and Planning Guidance SPD Key Principles HS1 and HS2.
- 6.9 The proposed residential unit would be in the form of a 1-person open plan studio unit. Policy D6 of the London Plan (2021), the NDSS (2015) and SPD Key Principle HS2 require a 1-person residential unit to have a minimum gross internal area (GIA) of 37sqm, including at least 1sqm of built-in storage space. Furthermore, the NDSS (2015) requires a minimum finished floor to ceiling height of 2.3m for at least 75% of the GIA of the proposed residential unit. To address the unique heat island effect of London and the distinct density and flatted nature of most of its residential development, Policy D6 of the London Plan (2021) and SPD Key Principle HS2 require a minimum finished floor to ceiling height of 2.5m for at least 75% of the GIA of the proposed residential unit.
- 6.10 As specified within the 'existing and proposed uses' section of the submitted application form and as measured on the submitted floor plans, the proposed residential unit would measure 37sqm, including 1sqm of built-in storage space. Whilst officers acknowledge that the 2.3m finished floor to ceiling height does not meet the 2.5m requirement of Policy D6 of the London Plan (2021) and SPD Key Principle HS2, the Mayor's Housing Supplementary Planning Guidance does state that 'failure to meet one standard would not necessarily lead to an issue of compliance with the London Plan, but a combination of failures would cause concern'.
- 6.11 In this case, the proposed residential studio unit has sufficient floorspace and would be appropriately arranged with a single multifunctional space to enable it to

be used as flexibly as possible. Together with the compliance with other residential standards in respect of light, outlook and private amenity space (discussed below), the proposal is considered to provide an acceptable internal and external residential environment for a studio flat, in line with the objectives of the above policies.

- 6.12 Furthermore, officers highlight that a similar application at the subject property (application ref. 2020/02012/FUL) was allowed on appeal by the Planning Inspectorate. In Paragraph 9 of that Appeal Decision (dated 14 June 2021), the Planning Inspector stated, in reference to that scheme providing a 2.3m finished floor to ceiling height rather than a 2.5m finished floor to ceiling height, that 'while the floor to ceiling height would be 20cm lower than the minimum standard, the living accommodation would still feel spacious, light and airy to its occupiers. As such, I am unable to share the concerns of the Council and several objectors that the proposed accommodation would feel cramped or too confined'. On this basis, withholding planning permission on the failure to meet the 2.5m finished floor to ceiling height alone would not be considered justifiable.

+ Light, outlook and privacy

- 6.13 Policy HO4 of the Local Plan (2018) specifies that new housing should provide a high-quality residential environment and be well designed internally and externally. Policy HO11 of the Local Plan (2018) specifies that the Council will ensure that the design and quality of all new housing, including new build, conversions and change of use, is of a high standard that meets the needs of future occupants. Outlook and light will be important considerations in relation to this.
- 6.14 The levels of light and outlook the proposed studio would receive is considered acceptable. Whilst single aspect, the studio fenestration would be at roof level, facing west and covering a large proportion of the rear elevation of the roof extension. In terms of privacy, no properties are located to the rear of Hazel House to overlook the proposed studio (as the rear elevation faces onto railway lines). The proposed roof terrace would be enclosed by 1700mm obscure glazed screens to the sides which would prevent overlooking of the private space from neighbouring properties.

+ External amenity space

- 6.15 Policy D6 of the London Plan (2021) outlines that where there are no higher local standards in the borough development plan documents, a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings, and an extra 1sqm should be provided for each additional occupant. Key Principle HS1 of the Planning Guidance SPD (2018) specifies that all new dwellings should have access to an area of amenity space, appropriate to the type of housing being provided.
- 6.16 The proposed development would involve the removal of part of the pitched roof of the back addition to form a roof terrace enclosed by 1700mm high obscure glazed screens to the sides. The roof terrace would be accessible to the flat through French doors to the rear elevation of the rear roof extension. The proposed roof terrace (12sqm, as measured on the proposed floor plan) would be in excess of the minimum 5sqm requirement specified by Policy D6 of the London Plan (2021).

As such, it is considered that the proposed development would provide sufficient external amenity space for future occupants of the proposed residential unit. The use of the roof terrace and the impact on residential amenity is considered later in the report.

+ Noise

- 6.17 Policy CC11 (b) of the Local Plan (2018) specifies that housing, schools, nurseries, hospitals and other noise sensitive development will not normally be permitted where the occupants/users would be affected adversely by noise, both internally and externally, from existing or proposed noise generating uses.
- 6.18 The Council's Environmental Protection team have reviewed the proposal, and they have highlighted that due to the proximity of the application site to the Hammersmith and City Tube line to the rear of the site, a pre-commencement condition relating to a noise assessment (including reflected and re-radiated noise) would be considered necessary to ensure that future occupants of the proposed residential unit are mitigated against harmful levels of noise and disturbance, in accordance with Policy CC11 of the Local Plan (2018). The applicant has agreed to the imposition of this condition in writing.
- 6.19 Officers note that the proposal's potential impact on the levels of noise and disturbance neighbouring occupants would be exposed to will be assessed in the 'impact upon neighbouring amenity' section of this committee report.

DESIGN AND HERITAGE

- 6.20 Paragraphs 135 and 139 of the National Planning Policy Framework (NPPF, 2024) 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 that is not well designed.
- 6.21 Paragraph 212 of the NPPF (2024) specifies 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. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 215 of the NPPF (2024) sets out that where a development 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.
- 6.22 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. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.
- 6.23 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.

- 6.24 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that: 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'
- 6.25 The application site is situated within the Melrose conservation area, and the site does not contain a Listed Building or a locally listed Building of Merit. The significance of the Melrose conservation area, is largely owing to its rapid development and evolution during the late 1800s to form a series of residential terraces. Paragraph 6.9 of the Melrose conservation area character profile (CACP) outlines that the design of any rear roof extension should be sympathetic to the character of the conservation area. Where they are visible from the street, including long views, then particular attention will need to be paid to their appearance.
- 6.26 Rear main roof extensions are a common and established form of development to this type of property not only within this terrace, but also within the Melrose conservation area and the wider borough. The proposal would increase the ridge height of the main roof by 300mm, and introduce a mansard style roof, with a flat roofed element and rear roof slope of 70 degrees. The extension would also introduce a centralised flat roofed element incorporating windows and doors providing access to a rear roof terrace. This would be consistent with rear roof extensions approved and built within the subject terrace at Irene House (Ref.2014/02692/FUL), Eric House (Ref.2015/04272/FUL), Percy House (Ref.2015/00344/FUL) and Holkham House (Ref.2017/03247/FUL), as well as with the rear roof extension recently allowed on appeal at Hazel House (Ref. 2020/02012/FUL), and those subsequently granted planning permissions at Holme House (Ref: 2021/03992/FUL), Myrtle House (Ref. 2022/00833/FUL) and most recently at Burnham House (Ref. 2024/00254/FUL). On this basis the proposed roof extension would be in-keeping with the character and appearance of the application building and the subject terrace.
- 6.27 The proposed roof terrace, on top of the back addition, would be limited in area to 12sqm (as measured via the submitted drawings) and would be similar in appearance, to terraces/glazed screens which already exist in the terrace at Percy House, Eric House and Holkham House, as well as to the terraces recently allowed at the subject site and Holme House, Myrtle House and Burnham House (references quoted above).
- 6.28 Given the limited extent of visibility of the proposals, and limited impact upon the street environment of Sulgrave Road; coupled with the established principle of such development within this terrace, the development is not considered to result in any harm to the conservation area. The proposals would preserve the character and appearance of the property, the subject terrace and the Melrose Conservation Area. The proposed development would also not have any adverse

impacts upon the setting of Hammersmith Grove Conservation Area to the west of the site, as the rear elevation and roofscape of the application property is not prominent or visible in extensive views within the adjacent conservation area.

- 6.29 In view of the above, the design and appearance of the proposals at roof level are considered acceptable. The proposals are in keeping with character and appearance of the subject building and the terrace of which it forms a part of, and would not harm the character or significance of the Melrose conservation area, or the setting of the Hammersmith Grove conservation area. Materials are secured by a condition.
- 6.30 Furthermore, officers highlight that a similar application at the subject property (application ref. 2020/02012/FUL) was allowed on appeal by the Planning Inspectorate. In Paragraph 19 of that Appeal Decision (dated 14 June 2021), the Planning Inspector stated, with regard to the design of the proposal and its impact upon the character and appearance of the Melrose Conservation Area, that 'To my mind, the proposal would not necessarily manifest itself significantly differently than the existing residential use of Hazel House insofar as the character and appearance of the local area is concerned. The proposed roof alterations are modest in scale and acceptable in visual terms, and also in keeping with the character and appearance of the host property. As such, Hazel House and the terrace of which it forms part would continue to add to the significance of the CA as a heritage asset. Consequently, the character and appearance of the CA would be preserved'.
- 6.31 Officers have assessed the impact of the proposal on the heritage assets and consider that it is compliant with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal is also in line with national guidance in the NPPF (2024) and strategic local policies on the historic environment and urban design.
- 6.32 The proposed development is also considered acceptable in accordance with Sections 12 and 16 of the NPPF (2024), Policy HC1 of the London Plan (2021) and Policies DC1, DC4 and DC8 of the Local Plan (2018).

IMPACT UPON NEIGHBOURING AMENITY

- 6.33 Policy HO11 of the Local Plan (2018) specifies that any proposal should ensure an acceptable impact upon the amenity of neighbouring residential occupants, especially with regard to outlook, privacy, daylight/sunlight and a sense of enclosure. Policies DC1 and DC4 require all proposals for new builds and extensions to be formulated to respect the principles of good neighbourliness.
- 6.34 Key Principles HS6, HS7 and HS8 of the Planning Guidance SPD (2018) provide guidance on how proposals should mitigate against detrimental harm to the amenity of neighbouring occupants, in regard to a loss of outlook, privacy and noise levels.
- 6.35 In this case, the key considerations are the impact to the six existing flats within Hazel House, and to the flats within the adjoining mansion blocks of Percy House and Myrtle House. No residential properties would be located to the rear of the proposed development.

+ Daylight and sunlight

6.36 The proposed development would not result in undue harm to daylight/sunlight levels. Notably, the bulk of the proposed development would be contained within the main roof of the parent building, and the proposed terrace screening would consist of obscured glass, which would still allow light through to neighbouring properties. Overall, the proposal would not be considered detrimental to the amenity of neighbouring occupants, with regard to outlook, light and a sense of enclosure.

+ Outlook

6.37 The proposed development would not result in undue harm to outlook. No residential properties would be located directly to the rear of the proposed development, with the Hammersmith and City Tube line beyond the rear boundary of the application site. Furthermore, because the bulk of the rear roof extension would be contained to the main rear roof slope of the parent building and would not extend over the existing back addition, this element of the proposal would not be visible from the existing windows serving the existing six residential units within Hazel House, and would not result in detrimental harm to the amenity of neighbouring occupants when viewed from the back addition windows serving Percy House and Myrtle House.

6.38 The proposed screens on top of the back addition, serving the terrace, would be no higher than the existing ridge height of the back addition, would have a modest projection, and would be set back by over 1m from either side elevation. Together with the lightweight and largely transparent material, it is not considered the screens would cause undue harm to outlook to the windows contained within the main building and back additions of both Percy House and Myrtle House either side of the subject building, in accordance with Key Principle HS7 of the Planning Guidance SPD (2018).

+ Privacy

6.39 Key Principle HS7 (iii) of the Planning Guidance SPD (2018) specifies that any new windows should be positioned at least 18m away from existing habitable room windows, 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.

6.40 The proposed development would not result in undue harm. The newly created fenestration would face the railway line to the rear of the site. The proposed terrace would be enclosed by 1.7m high obscure glazed privacy screens to the sides and as such no views would be afforded into the windows of the properties located either side of the subject building (Percy House and Myrtle House). The glazing specification is secured by a condition.

+ Noise

6.41 Policy D14 of the London Plan (2021) outlines that in order to reduce, manage

and mitigate noise, residential and other non-aviation development proposals should manage noise by, amongst other measures, mitigating and minimising the existing and potential adverse impacts of new development.

- 6.42 Policies CC11 and CC13 of the Local Plan (2018) specify that all proposed development will be required to demonstrate that there will be no undue detriment to the general amenities enjoyed by existing surrounding occupiers as a result of nuisances (including noise).
- 6.43 Key Principle NN3 of the Planning Guidance SPD (2018) states that in the design of new residential dwellings (including change of use and conversions), careful consideration should be given to stacking and layout of rooms in relation to adjoining wall, floors and ceilings. To ensure the amenity of occupiers is not adversely affected by noise, the council expects all parts of adjoining dwellings to enhance the sound insulation, including where the adjoining room is of a similar use.
- 6.44 The proposed residential studio unit would sit above the existing habitable rooms of Flats 5 and 6, which occupy the second-floor level of Hazel House. There is therefore potential for noise transmission between both the new and the existing flats. Concerns have also been raised by residents regarding noise within the communal areas from increased coming and goings from additional residents and visitors.
- 6.45 Officers highlight that planning permission was refused at the subject site (Ref. 2020/02012/FUL) for a similar scheme on grounds relating to noise transmission, however this was not supported by the Inspector during the subsequent appeal. In determining the appeal, the Inspector considered the supporting acoustic report and concluded in Paragraph 16 that 'with a suitable condition in place to secure appropriate insulation, as proposed, I conclude that the proposal would not materially harm the living conditions of existing or future occupiers with regard to noise, vibration or general disturbance'.
- 6.46 Separately, as part of the same Appeal, the Inspector acknowledged that there would be some additional activity associated with an extra resident, such as the general coming and going of people and their visitors to the property. However, the Inspector stated in Paragraph 15 of the Appeal decision that, 'there is no convincing evidence that the additional noise and general disturbance associated with these movements would be so great as to materially harm the living conditions of others'.
- 6.47 The Council's Environmental Protection team have been consulted on the current planning application, and following review, have confirmed that the proposed sound insulation would be compliant with the relevant Building Regulation standards. They therefore raise no objection to the sound insulation specification (Ref:1906191NR, dated 4th July 2019) prepared by Peak Acoustics Ltd, subject to a compliance condition being attached to ensure that this is installed prior to occupation of the proposed residential unit.
- 6.48 Key Principle HS8 of the Planning Guidance SPD (2018) specifies that planning permission will not be granted for roof terraces or balconies if the use of the terrace or balcony is likely to cause harm to the existing amenities of neighbouring

occupiers by reason of noise and disturbance. Supporting Paragraph 3.16 of the Planning Guidance SPD (2018) specifies that the Council may seek for balconies and terraces to be no bigger than 15sqm to reduce noise and disturbance to neighbours.

- 6.49 The proposed terrace would not exceed the typical guidance on terrace sizes contained within Key Principle HS8 of the Planning Guidance SPD (2018), and accordingly, would be considered to limit the number of people who could occupy the terrace at any one time. This is considered sufficient to prevent neighbouring occupants from being exposed to harmful levels of noise associated with usage of the terrace.
- 6.50 Overall, for the reasons outlined above, the proposal would be considered to mitigate against detrimental harm to the amenity of neighbouring occupants with regard to outlook, light, privacy and noise, consistent with Policy D14 of the London Plan (2021), Policies CC11, CC13 and HO11 of the Local Plan (2018) and Key Principles HS6, HS7, HS8 and NN3 of the Planning Guidance SPD (2018).

HIGHWAYS/PARKING AND REFUSE/RECYCLING

+ Highways/parking

- 6.51 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
- 6.52 Policy T6 (B) of the London Plan (2021) specifies that car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport.
- 6.53 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.
- 6.54 Using Transport for London's methodology, the application site has a PTAL 6a rating, indicating excellent public transport accessibility levels. Accordingly, to be compliant with Policy T6 of the London Plan (2021), Policy T4 of the Local Plan (2018) and to prevent an increase in parking stress within surrounding streets, as well as to reduce the impact on air quality which additional car generation would otherwise create, it should be ensured that the proposed residential unit is car parking permit free. The Council's chosen method to ensure car parking permit free development is via a Legal Agreement, and the applicant has confirmed in writing that they are willing to agree a Legal Agreement to secure the proposed residential unit as car free development. Subject to this, officers are satisfied that the proposal would mitigate against harmfully exacerbating any existing levels of parking stress and congestion within the locality, or from impacting on air quality

levels. This is considered to be in accordance with Policy T6 of the London Plan (2021) and Policies T4 and CC10 of the Local Plan (2018).

6.55 The current application proposes to locate the cycle storage internally, utilising the under stair communal cupboard in the hallway. Comments received from residents' question whether a bicycle can fit in the space and suggest the storage of the bicycle would obstruct access to the building's meters located inside. Officers highlight that the same internal cycle storage location was proposed as part of planning application ref. 2015/05734/FUL, and whilst that was not deemed acceptable by the Council, this was not supported by the Planning Inspector in determining that appeal (Appeal Decision dated 27.01.2017). The Planning Inspector was satisfied that the use of the space under the stairs for cycle storage was an acceptable solution and accordingly did not uphold that particular reason for refusal.

6.56 Officers note that the proposed cycle storage would provide secure and weather-proof storage and that a similar arrangement was also allowed under the previous appeal at the subject property (Ref. 2020/02012/FUL), and under a subsequent planning applications (Ref. 2022/00833/FUL) at Myrtle House and (Ref. 2024/00254/FUL) at Burnham House. Accordingly, officers raise no objection to this element of the proposal, which is considered to be consistent with Policy T5 of the London Plan (2021).

+ Refuse/recycling

6.57 Policy CC7 of the Local Plan (2018) specifies that all developments should aim to minimise waste and should provide convenient refuse and recycling storage facilities.

6.58 The existing ground-floor plan demonstrates that the existing bin storage is located within the front garden of Hazel House, and this was confirmed during the officer site visit. Annotations on the proposed ground-floor plan specify that one additional bin would be provided for the proposed residential studio unit, and that this would be stored in a similar location to the existing bins. This location remains the most suitable and convenient for collection. Residents of Hazel House, however state there is already insufficient refuse storage for the existing occupiers, and the forecourt cannot accommodate an additional bin.

6.59 Officers are satisfied that there is adequate space. It is noted the same arrangement was also proposed under planning application Ref: 2020/02012/FUL at the subject site. Whilst this was deemed to be unacceptable by the council, this was also not supported by the Inspector during the appeal. In determining the same abovementioned appeal, the Inspector noted in Paragraph 5, 'there would be sufficient space at the front of Hazel House to accommodate an extra bin to store refuse and recycling associated with the new residential unit. In this position, it would join the existing bins in a location that would be suitable for use and convenient for collection. While I note the photographs provided by objectors of bins and bags at the front of Hazel House that are over filled with waste, it would not be justifiable to remedy any existing deficiencies that may exist.' On that basis, the Inspector did not uphold that particular reason for refusal.

6.60 Officers consider that this arrangement would ensure adequate provision for bin

storage for future occupants of the proposed residential unit. Accordingly, officers are satisfied that the proposal would be compliant with Policy CC7 of the Local Plan (2018).

FLOOD RISK

6.61 The application site lies within the Environment Agency's Flood Risk Zones 2 and 3, and accordingly a flood risk assessment (FRA) would typically be required by Policy CC3 of the Local Plan (2018). Whilst acknowledged that a FRA has not been submitted as part of this application, officers recognise that the proposal relates to the erection of a rear roof extension to accommodate a residential studio unit. Accordingly, the siting of the proposal is considered sufficient to mitigate against harmfully exacerbating the application site's flood risk.

AIR QUALITY

6.62 NPPF (2024) Paragraph 199 relates to air quality, and states planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan. The councils Air Quality Action Plan 2025-2030 was approved and adopted by the council on the 16th of December 2024.

6.63 The development site is within the borough wide Air Quality Management Area (AQMA) for the air pollutants NO2 and Particulates (PM10).

6.64 The Council's Air Quality team have reviewed the application and recommended conditions to secure details of air quality mitigations to ensure the development is in accordance with Local Plan Policies CC1 and CC10, London Plan Policy SI 1, and the councils Air Quality Action Plan.

FIRE SAFETY AND ACCESSIBILITY

6.65 London Plan Policies D5, D7 and Local Plan Policies HO6, DC1, DC4 and HO11 require development proposals to achieve the highest standards of accessible and inclusive design. London Plan Policy D5 part 4) states development should be able to be entered, used and exited safely, easily and with dignity for all.

6.66 In the interests of fire safety and to ensure the safety of all building users, Policy D12 of the London Plan (2021) states that 'all development proposals must achieve the highest standards of fire safety'. Part A of Policy D12 specifies that proposals should ensure that they:

- 1) identify suitably positioned unobstructed outside space:
 - a) for fire appliances to be positioned on
 - b) appropriate for use as an evacuation assembly point
- 2) are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures
- 3) are constructed in an appropriate way to minimise the risk of fire spread

- 4) provide suitable and convenient means of escape, and associated evacuation strategy for all building users
- 5) develop a robust strategy for evacuation which can be periodically updated and published, and which all building users can have confidence in
- 6) provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.

6.67 As required by Policy D12 of the London Plan (2021), a fire strategy statement (received 23rd June 2025) has been submitted as part of this proposal. This outlines how consideration has been given to Part A, criteria 1 - 6 of Policy D12. Officers do also highlight that 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'.

6.68 The proposal has been reviewed by the Council's Building Control Fire Safety & Means of Escape Officer. Their comments confirm that because the proposal seeks to add an additional floor to the building, there is a requirement to improve the means of escape to meet current Building Control standards; which is the reason for the proposed installation of fire doors and glazed screens to create internal fire lobbies. The creation of internal fire lobbies is considered to be a significant improvement to the means of escape for existing and future occupants, and the use of glazed doors is not a concern as long as these meet the required fire-resisting standards. Glazed screens would also have the added benefit of allowing a greater proportion of natural light into the internal landings and staircases. While it is acknowledged that the fire doors will add a further obstruction for residents when evacuating the building, they are an important means to resist fire spreading throughout the building, and as such on balance are considered an overall benefit to the occupiers of the building. Although the depth of the lobby is reduced this still meets the building regulation standards and the width of the lobby remains as existing.

6.69 In respect of how an elderly person or somebody with impaired mobility may navigate the new fire doors, the finer details on the doors would be agreed under the building regulations and not planning. Nonetheless, the Council's Building Control Fire Safety & Means of Escape Officer is satisfied that the residents will be able to evacuate their properties appropriately and without significant hindrance.

6.70 The Council's Building Control Fire Safety & Means of Escape Officer has confirmed that all works, materials and installations would be examined during the building control process, and that as part of this, a consultation with the fire service would also be undertaken seeking their observations.

6.71 On this basis the proposals would ensure an accessible environment for existing and future occupiers; and in terms of fire risk the details provide are acceptable for the purposes of planning.

BIODIVERSITY NET GAIN

6.72 Biodiversity Net Gain (BNG) became mandatory for major development proposals from 12th February 2024 and for minor development proposals from 2nd April

2024.

- 6.73 As specified within the 'Biodiversity Net Gain' section of the submitted application form the building meets the definition of Small Scale Self-Build and Custom Housebuilding, and is therefore exempt from BNG.

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 the net-gain of one self-contained residential studio unit of satisfactory standard, contributing towards the borough's housing supply targets. Furthermore, the scale, massing, design and material finishes would ensure a high standard of design which would preserve the character and appearance of the surrounding area and designated heritage assets, whilst mitigating against detrimental harm to the amenity of surrounding occupants. Highway impacts would be mitigated via a Legal Agreement (Unilateral Undertaking) to secure car permit free development.
- 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

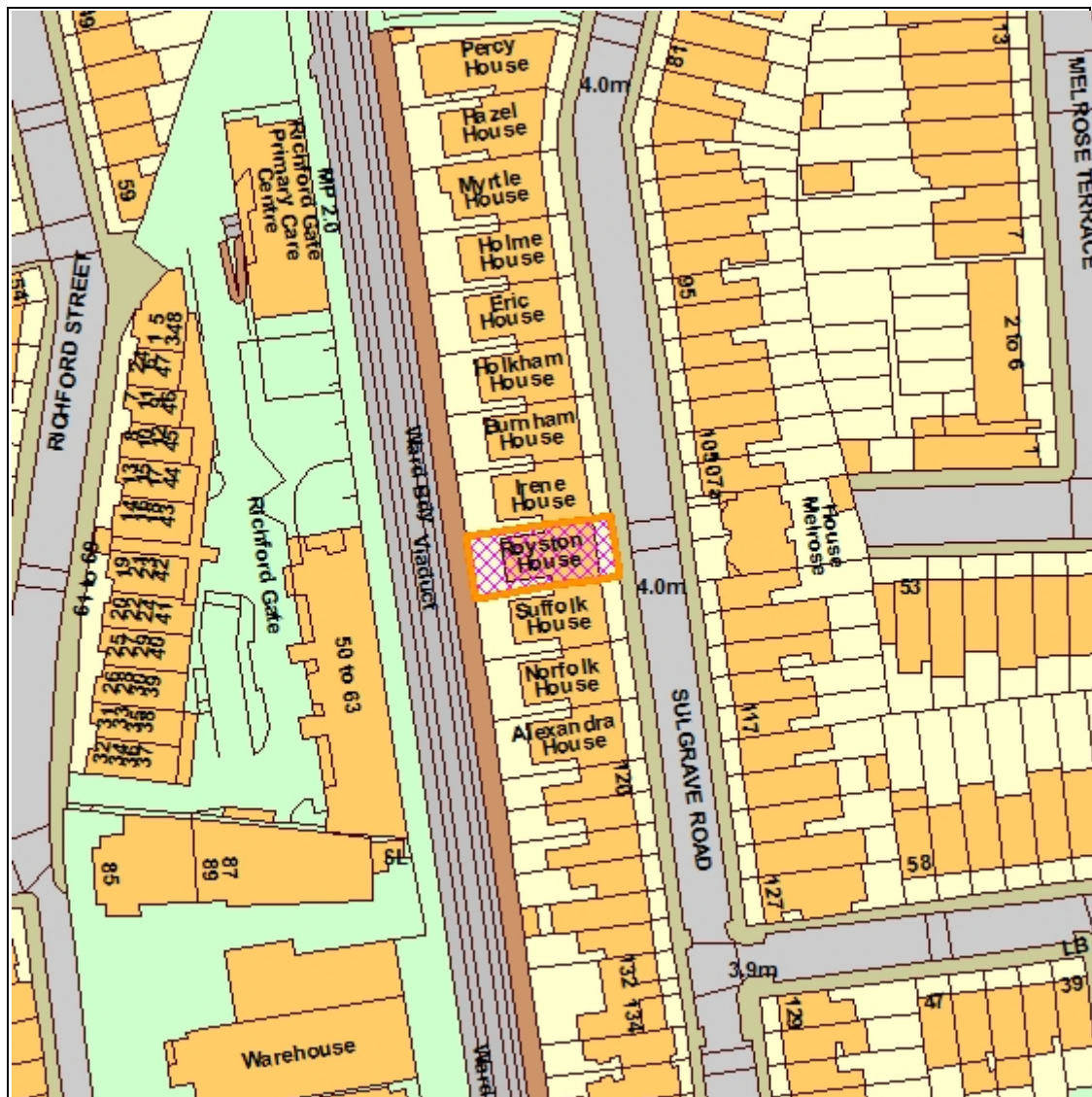
- 8.1 Grant permission, subject to conditions and a unilateral undertaking.

Agenda Item 6

Ward: Addison

Site Address:

Royston House Sulgrave Road London W6 7QR



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For identification purposes only - do not scale.

Reg. No:

2024/00251/FUL

Case Officer:

Elliot Brown

Date Valid:

12.02.2024

Conservation Area:

Constraint Name: Melrose Conservation Area -
Number 26

Committee Date:

08.07.2025

Applicant:

Saverteam Ltd
Willmotts 12 Blacks Road Hammersmith London
W6 9EU

Description:

Erection of a rear roof extension involving an increase in the ridge height by 300mm, in connection with the creation of a new self-contained studio flat; alterations to part of the roof of the back addition to incorporate a flat roof and the erection of 1.7m high obscure glazed privacy screening around the resultant flat roof at third floor level to the rear elevation, in connection with its use as a terrace.

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 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:

2545-P01 REV A (dated 09.02.2024); 2545-P02 (dated 05.02.2024); 2545-P03 (dated 05.02.2024); 2545-P04 (dated 05.02.2024); Sound Insulation Specification (Ref. 0901241NR, REV 0.0, dated 31.01.2024) prepared by Peak Acoustics Ltd.

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

- 3) The development hereby approved shall be carried out and completed in accordance with the materials details (including colour and finish) specified below:

- External finish to rear roof extension: Natural grey slate tiles.
- The party/flank walls of the rear roof extension: Constructed from brick to match the existing building in terms of colour, range, texture and pointing.
- Rear dormer projection: Clad in lead.
- Terrace Screening: Obscure-glass with a minimum obscurity equivalent to Pilkington Texture Glass Level 3.

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) The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground), have been submitted to and approved in writing by the local planning authority which:

- Provide construction details on the rear roof extension;
- Provide details on the use of tall plant, scaffolding and lifting equipment;
- Accommodate the location of the existing London Underground structures - the property is adjacent to the open section of TfL's operational railway. To ensure safety of TfL's railway from debris falling during construction or things being thrown post construction, any opening windows, balconies or terraces facing the railway elevation will require prior approval from LU Engineers and mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with the London Plan 2021, draft London Plan policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

- 5) Prior to commencement of the development, a noise assessment shall be submitted to the Council for approval of external noise levels, including 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 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.

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).

- 6) Prior to occupation of the development, details (including manufacturer specification, installation/commissioning certificates, gas supply/meter site clear certificate, and photographic confirmation) of the installed Air Source Heat Pump (ASHP), Heat Battery Boiler, Electric Boiler or alternative electrical only heating systems to be provided for space heating and hot water for the self-contained dwellinghouse (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 safeguard local air quality in the councils boroughwide air quality management area, in accordance with Policies CC1 and CC10 of the Local Plan (2018) and the councils Air Quality Action Plan.

- 7) Prior to occupation of the development hereby permitted, details (including manufacturer specification, installation/commissioning certificates, gas supply/meter site clear certificate, and photographic confirmation) of the installed electric induction cooking appliance in the kitchen of the self-contained dwellinghouse (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 Policy CC10 of the Local Plan (2018) and the councils Air Quality Action Plan.

- 8) Prior to occupation of the development hereby permitted, details (including manufacturer specification, installation/commissioning certificates and photographic confirmation) of the installed Waste Water Heat Recovery System (WWHRS) for the self-contained dwellinghouse (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 increase energy efficiency in domestic buildings and to safeguard local air quality in the councils boroughwide air quality management area, in accordance with Local Plan Policies CC1 and CC10 and the councils Air Quality Action Plan'.

- 9) The terrace hereby approved shall not be first used until the privacy screening has been installed as shown on approved drawing nos. 2545-P01 REV A (dated 09.02.2024), 2545-P02 (dated 05.02.2024), 2545-P03 (dated 05.02.2024) and 2545-P04 (dated 05.02.2024). The privacy screening shall achieve a minimum level of obscurity equivalent to Pilkington Texture Glass Level 3 and shall have a height of 1.7m above the finished floor level of the terrace along the flank elevations of the terrace hereby approved. The privacy screening to the rear elevation of the terrace shall have a height of 1.7m above the finished floor level of the terrace hereby approved. The privacy screening shall thereafter be permanently retained as approved.

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

- 10) Other than the area shown as a terrace on the approved plans no part of the remainder of the roof atop of the existing back addition or atop the rear roof extension hereby approved 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).

- 11) The refuse, recycling and bicycle storage shall be installed in accordance with the details on approved drawing Nos. 2545-P01 REV A (dated 09.02.2024) and 2545-P02 (dated 05.02.2024) prior to occupation of the self-contained residential unit hereby approved. The refuse, recycling and bicycle storage shall thereafter be permanently maintained for the lifetime of the development.

To ensure a satisfactory provision of refuse, recycling and bicycle storage, in accordance with Policy T5 of the London Plan (2021) and Policy CC7 of the Local Plan (2018).

- 12) In line with achieving 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/external terrace areas ($L_{nT,w}$) separating different types of rooms/ uses in adjoining dwellings, the specifications and recommendations within the Sound

Insulation Specification (Ref. 0901241NR, REV 0.0, dated 31.01.2024) prepared by Peak Acoustics Ltd shall be fully implemented prior to occupation of the development hereby approved and thereafter be permanently retained as such.

To ensure that the amenity of occupiers of the development site is not adversely affected by noise, in accordance with Policy D14 of the London Plan (2021) and Policies CC11 and CC13 of the Local Plan (2018).

- 13) The rear roof lights hereby approved shall be conservation style roof lights and thereafter permanently retained in this form.

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

- 14) No water tanks or water tank enclosures shall be erected upon the remainder of the roof atop of the existing back addition or atop the roof of the rear roof extension hereby permitted.

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

Justification for Approving the Application:

- 1) The proposal would result in the net-gain of one residential unit, contributing towards the Borough's housing targets, whilst ensuring a satisfactory standard of accommodation for future occupants. Furthermore, the proposed alterations to the parent building would be of an acceptable design and appearance and would preserve the character and appearance of the Melrose conservation area and the setting of the Hammersmith Grove conservation area. The proposal would mitigate against unduly detrimental harm to the amenity of neighbouring occupants, as well as highways/parking and flood risk. In these respects, the proposal would be compliant with, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Sections 5, 12 and 16 of the National Planning Policy Framework(2024), Policies D6, D12, D14, H1, HC1, T5 and T6 of the London Plan (2021), Policies CC3, CC7, CC10, CC11, CC13, DC1, DC4, DC8, HO1, HO4, HO11, T1, T3 and T4 of the Local Plan (2018) and Key Principles CAG3, HS6, HS7, HS8 and NN3 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: 5th February 2024
Drawing Nos: see above

Policy documents: National Planning Policy Framework (NPPF) 2024
The London Plan 2021
LBHF - Local Plan 2018
LBHF – Planning Guidance Supplementary Planning Document
2018

Consultation Comments:

Comments from:	Dated:
Crime Prevention Design Advisor - Hammersmith	29.02.24
London Underground Limited	15.02.24

Neighbour Comments:

Letters from:	Dated:
4 Hazel House Sulgrave Road W6 7QF	11.03.24
Flat #1 Royston House Sulgrave Road LONDON W6 7QR	05.03.24
Flat5 Royston House, Sulgrave Road London W6 7QR	11.03.24
5 Royston House Sulgrave Road London W6 7QR	10.03.24
6 Suffolk House Sulgrave Road London W6 7QS	11.03.24
27 Matilda Street London N1 0LA	03.03.24
Flat 4 Royston House Sulgrave Road London W6 7QR	09.03.24
Flat 3 Irene House Sulgrave Road London W6 7QP	11.03.24
Flat 6 Royston House Sulgrave Road London W6 7QR	21.02.24
Flat 1, Hazel House Sulgrave Road London W6 7QF	02.03.24
Flat 1, Hazel House Sulgrave Road London W6 7QF	10.03.24

PLANNING COMMITTEE REPORT

1.0 SITE DESCRIPTION

- 1.1 On the eastern side of Sulgrave Road is a row of twelve three-storey, double bay fronted, Victorian residential buildings. The names of these twelve buildings going from south to north are as follows: Alexandra House, Norfolk House, Suffolk House, Royston House, Irene House, Burnham House, Holkham House, Eric House, Holme House, Myrtle House, Hazel House and Percy House. The

properties are all purpose built as flats.

- 1.2 The current application relates specifically to Royston House, which accommodates a total of six flats, two per floor. Royston House is not a Listed Building or a locally listed Building of Merit, although it is situated within the Melrose Conservation Area.
- 1.3 The application site lies within the Environment Agency's Flood Risk Zones 2 and 3.
- 1.4 The application site has a Public Transport Accessibility Level (PTAL) of 6a (excellent).

PLANNING HISTORY

- 2.1 Officers highlight that there is extensive planning history for the buildings referred to in paragraph 1.1 of this delegated report, as outlined below.

2007/00434/FUL - Erection of a rear roof extension on each building (Percy House / Hazel House / Myrtle House / Holme House / Eric House / Holkham House / Burnham House / Irene House / Royston House / Suffolk House / Norfolk House), including an increase in the existing ridge height in each case by up to a maximum of 300mm. The application was granted planning permission on 10.04.2007.

2015/05734/FUL - Erection of rear roof extensions, erection of rear extensions at third floor level over part of the existing back additions in connection with the creation of self-contained studio flats and the formation of roof terraces at third floor level on top of each property: Hazel House, Myrtle House, Holme House, Holkham House, Burnham House, Royston House, Suffolk House and Norfolk House. The application was refused planning permission on 18.07.2016, for the following reasons:

1) Excessive density/over development; 2) Inadequate cycle and refuse storage; 3) Unneighbourly development; 4) Visual amenity; 5) noise disturbance resulting from the high-level roof terraces; and 6) Absence of sustainable drainage and impact on flooding.

The subsequent appeal (appeal ref. APP/H5390/W/16/3160276) was dismissed on 27.01.2017 solely on grounds of design and character and appearance (Reason for refusal 4). All other reasons for refusal were not upheld by the Planning Inspector.

- 2.2 In addition to the joint planning history above, there is also planning history relating to individual buildings, as outlined below.

+ Irene House

2014/02692/FUL - Erection of a rear roof extension, involving an increase in the ridge height by 300mm; installation of two rooflights in the front roofslope. The

application was granted planning permission on 04.08.2014.

+ Percy House

2015/00344/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm including the raising of the party walls and chimney stack and formation of a roof terrace (Amendments to previously approved planning permission ref: 2013/01607/FUL). The application was granted planning permission on 25.06.2015.

+ Eric House

2015/04272/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm including the raising of the party walls and chimney stack and formation of a roof terrace (Amendments to previously approved planning permission ref: 2013/01607/FUL). The application was granted planning permission on 25.06.2015.

+ Holkham House

2017/03247/FUL - Erection of a rear roof extension; erection of a rear extension at third floor level over part of the existing back addition; alterations to part of the roof of back addition to incorporate a flat roof and the erection of privacy screen around the flat roof at third floor level to the rear elevation in connection with its use as a terrace. The application was granted planning permission on 17.11.2017.

+ Hazel House

2018/01617/FUL: Erection of a rear roof extension involving an increase in the ridge height by 300mm, in connection with the formation of 1no. self-contained studio flat; removal of part of the pitched roof of the back addition at third floor level to form a roof terrace enclosed with a 1700mm high obscured glazed screen atop part of the back addition; installation of French doors to the rear elevation at third floor level in order to allow access to the proposed roof terrace. The application was refused planning permission on 14.09.2018, for the following reasons:

1) Insufficient quality of residential accommodation. Notably, the proposal failed to meet the minimum finished floor to ceiling height standards of the London Plan (2016) and the Nationally Described Space Standards (2015), and the internal stacking arrangement meant that the amenity of occupiers would be adversely affected by noise and vibration.

2019/00670/FUL - Erection of a rear roof extension involving an increase in the ridge height by 393mm in connection with the creation of 1 x self-contained studio flat; alterations to part of the roof of back addition to incorporate a flat roof and the erection of privacy screen around the flat roof at third floor level to the rear elevation in connection with its use as a terrace. The application was refused

planning permission on 01.05.2019, for the following reasons:

- 1) Visual amenity: excessive increase in ridge height (393mm) including a step, and an almost vertical rear roof slope (83 degrees) would be out of keeping with the prevailing pattern of development established throughout the terrace, and would harm the character and appearance of the Melrose Conservation Area; and
- 2) Substandard living environment: noise and vibration due to non-uniform room stacking.

The subsequent appeal (appeal ref. APP/H5390/W/19/3235745) was dismissed on 20.12.2019 solely on grounds of design and character and appearance.

2020/00806/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm in connection with the creation of a self-contained studio flat; alterations to the roof of back addition to incorporate a flat roof and the erection of privacy screen around the flat roof at third floor level to the rear elevation in connection with its use as a terrace. The application was refused planning permission on 02.07.2020, for the following reasons:

- 1) Visual amenity: steep rear roof slope (75 degrees) would be out of keeping with the prevailing pattern of development established throughout the terrace, and would harm the character and appearance of the Melrose Conservation Area;
- 2) Substandard living environment: failure to meet minimum floor space and floor to ceiling height standards; and
- 3) Inadequate cycle parking: located on land not within ownership of applicant.

2020/02012/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm in connection with the creation of a self-contained studio flat; alterations to the roof of back addition to incorporate a flat roof and the erection of privacy screen around the flat roof at third floor level to the rear elevation in connection with its use as a terrace. The application was refused planning permission on 13.11.2020, for the following reasons:

- 1) Substandard living environment: failure to meet minimum floor space and floor to ceiling height standards;
- 2) Impact to character of conservation area: intensification and overdevelopment of the site; and impact to residential amenity;
- 3) Inadequate cycle parking and refuse storage: cycle parking located in an area which the applicant does not have sole access to, and insufficient space to accommodate additional bins; and
- 4) Impact to residential amenity: noise and vibration due to non-uniform room stacking and inadequate sound insulation.

The subsequent appeal (appeal ref. APP/H5390/W/20/3263632) was allowed on 14.06.2021.

+ Holme House

2021/03992/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm in connection with the creation a new self-contained studio flat; alterations to part of the roof of the back addition to incorporate a flat roof and the erection of privacy screens around the resultant flat roof at third floor level to the rear elevation in connection with its use as a terrace. The application was granted planning permission on 11.02.2022.

+ Myrtle House

2022/00833/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm in connection with the creation a new self-contained studio flat; alterations to part of the roof of the back addition to incorporate a flat roof and the erection of privacy screens around the resultant flat roof at third floor level to the rear elevation in connection with its use as a terrace. The application was granted planning permission on 07.07.2022.

+ Burnham House

2024/00254/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm, in connection with the creation a new self-contained studio flat; alterations to part of the roof of the back addition to incorporate a flat roof and the erection of 1.7m high obscure glazed privacy screening around the resultant flat roof at third floor level to the rear elevation, in connection with its use as a terrace. The application was resolved to be granted planning permission at Planning Committee on 04.03.2025.

PROPOSAL

- 3.1 The proposal seeks planning consent for the 'Erection of a rear roof extension involving an increase in the ridge height by 300mm, in connection with the creation of a new self-contained studio flat; alterations to part of the roof of the back addition to incorporate a flat roof and the erection of 1.7m high obscure glazed privacy screening around the resultant flat roof at third floor level to the rear elevation, in connection with its use as a terrace'.

CONSULTATIONS

Neighbouring responses

- 4.1 52 surrounding properties were notified of the proposal via letter.
- 4.2 A site notice and a press notice were displayed/published.
- 4.3 11 representations have been received, which object to the proposal on the following grounds:
- The application should be determined at planning committee;

- The proposal would fail to preserve or enhance the character and appearance of the Melrose Conservation Area. Notably, the rooflines of 8 of the 12 buildings in the terrace remain unaltered and cohesive in their original form, design and purpose.
- The proposal could be viewed from business properties but also by the public and by people in other private residences.
- Previous planning applications for this group of buildings have been refused both by the Council and by the Planning Inspectorate.
- The size of the proposed terrace (which is over 11sqm) could hold significantly more than 6 people, as suggested by the applicant, and would be in excess of the 5sqm requirement for a 1-2 person unit set out by the Mayor's Housing SPG. The proposal would therefore result in exposing neighbouring occupants to harmful levels of noise and disturbance.
- The proposal would result in detrimental harm to the amenity of neighbouring occupants with regard to noise, overlooking/privacy and loss of light;
- The proposal would have a harmful impact upon parking congestion, both as a result of the additional residential unit proposed and via construction vehicles
- The provision of cycle parking is not acceptable; this has been shown to be placed in a communal space which is a concern for the whole building, and would not meet the required provision (7 cycle spaces for the whole building);
- There is insufficient provision for refuse and recycling storage for occupants of the proposed residential unit; and this will exacerbate existing issues of refuse storage provision;
- The proposal would result in an intensification of the existing site, exceeding the density matrix within Table 3.2 of the London Plan (2021), and concerns are raised regarding the quality of the accommodation proposed, particularly in terms of unit size;
- The proposal would result in a reduction to the existing communal hallway space, this would limit both day to day and emergency accessibility for top-floor residents and any future occupant of the proposed residential unit.
- The proposal indicates the removal of a roof-space water tank. There is no information regarding the potential impact of this on water pressure and related plumbing requirements.
- How will the applicant and/or the council be enforcing the commitment that the proposed residential unit be occupied by only one person.
- Neighbouring occupants would be exposed to significant noise, pollution and disturbance associated with construction works, as well as disruption of access and impact upon safety

- Granting planning permission would be inherently irresponsible, based on the lack of commitment to maintaining the existing property portfolio to an adequate standard. Notably, there are existing issues of mould and water ingress within flats and a lack of maintenance to communal areas of the property.
- A studio flat would encourage short-letting such as AirBnB;
- The proposed residential unit would not be accessible for people with mobility issues.
- There are concerns regarding foundations/the structural stability of the property, given its age.
- The proposal could lead to issues of anti-social behaviour
- The freeholder has made no attempt to discuss the plans with any of the owners/residents within the property or neighbouring properties.
- The proposal could impact upon property values.

4.4 Officer comment:

- The material planning considerations have been considered and assessed as part of this committee report;
- Measurements taken from the proposed floor plans indicates that the proposed roof terrace would have a footprint of 9.6sqm;
- A number of matters raised (such as the proposal's impact upon property values, noise and disturbance associated with construction works and foundation/structural stability concerns) would fall outside the scope of planning legislation. Environmental Health legislation and Building Control Regulations would be relevant with regard to noise and disturbance associated with construction works and foundation/structural stability concerns.

+ External consultee responses

4.5 Design out Crime (Metropolitan Police) - No comments/objections.

4.6 Transport for London (TfL) Infrastructure Protection - No objection, subject to a condition (detailed design and method statement in consultation with London Underground).

5.0 PLANNING 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 2024)

- 5.4 The National Planning Policy Framework (NPPF) came into effect on 27 March 2012 and was revised in 2024 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 Officers consider that the proposal would raise the following material planning considerations:

- Principle of land use and housing supply;
- Quality of the proposed residential accommodation;
- Design and heritage;
- Impact upon neighbouring amenity;
- Highways/parking and refuse/recycling;
- Flood risk;
- Air quality;

- Fire safety;
- Biodiversity Net Gain.

PRINCIPLE OF LAND USE AND HOUSING SUPPLY

+ Land use

- 6.2 Royston House currently contains six self-contained residential units. The proposal would result in the net-gain of one residential unit, and accordingly, would be compatible with the existing land use.

+ Housing supply

- 6.3 The provision of housing is a significant issue, with paragraph 60 of the National Planning Policy Framework (NPPF, 2024) 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 2029. Policy HO1 of the Local Plan (2018) specifies that H&F will seek to provide at least 1,031 new residential dwellings up to 2035.
- 6.4 The proposal would result in the net-gain of one self-contained dwelling, which would contribute towards the Borough's housing supply targets. Accordingly, the provision of residential accommodation would be considered acceptable in principle, consistent with Paragraph 60 of the NPPF (2024), Policy H1, Table 4.1 of the London Plan (2021) and Policy HO1 of the Local Plan (2018).

QUALITY OF THE PROPOSED RESIDENTIAL ACCOMMODATION

- 6.5 Policy D6 of the London Plan (2021) places a significant focus on internal space standards for dwellings, and seeks to ensure that all new housing are of a high quality design and provide adequately sized rooms with comfortable and functional layouts which are fit for purpose and offer the potential to be occupied over time by households of all tenures.
- 6.6 The Nationally Described Space Standards (NDSS) is also relevant with regard to internal space standards.
- 6.7 Policies HO4 and HO11 of the Local Plan (2018) requires all housing to provide a high-quality residential environment and be well designed internally and externally.

+ Internal space standards (unit size and finished floor to ceiling height)

- 6.8 The proposal would involve the creation of new residential floorspace, and accordingly officers consider that the proposed residential unit should be assessed against the unit sizes outlined within Policy D6 of the London Plan (2021) and the NDSS (2015).

- 6.9 The proposed residential unit would be in the form of a 1-person open plan studio unit. Policy D6 of the London Plan (2021) and the NDSS (2015) requires a 1-person residential unit to have a minimum gross internal area (GIA) of 37sqm, including at least 1sqm of built-in storage space. Furthermore, the NDSS (2015) requires a minimum finished floor to ceiling height of 2.3m for at least 75% of the GIA of the proposed residential unit. To address the unique heat island effect of London and the distinct density and flatted nature of most of its residential development, Policy D6 of the London Plan (2021) requires a minimum finished floor to ceiling height of 2.5m for at least 75% of the GIA of the proposed residential unit.
- 6.10 As specified within the 'existing and proposed uses' section of the submitted application form and as measured on the submitted floor plans, the proposed residential unit would measure 37sqm, including 1sqm of built-in storage space. Whilst officers acknowledge that the 2.3m finished floor to ceiling height does not meet the 2.5m requirement of Policy D6 of the London Plan (2021), the Mayor's Housing Supplementary Planning Guidance does state that 'failure to meet one standard would not necessarily lead to an issue of compliance with the London Plan, but a combination of failures would cause concern'.
- 6.11 In this case, the proposed residential studio unit has sufficient floorspace and would be appropriately arranged with a single multifunctional space to enable it to be used as flexibly as possible. Together with the compliance with other residential standards in respect of light, outlook and private amenity space (discussed below), the proposal is considered to provide an acceptable internal and external residential environment for a studio flat, in line with the objectives of the above policies.
- 6.12 Furthermore, officers highlight that a similar application at Hazel House, Sulgrave Road (application ref. 2020/02012/FUL) was allowed on appeal by the Planning Inspectorate. In Paragraph 9 of that Appeal Decision (dated 14 June 2021), the Planning Inspector stated, in reference to that scheme providing a 2.3m finished floor to ceiling height rather than a 2.5m finished floor to ceiling height, that 'while the floor to ceiling height would be 20cm lower than the minimum standard, the living accommodation would still feel spacious, light and airy to its occupiers. As such, I am unable to share the concerns of the Council and several objectors that the proposed accommodation would feel cramped or too confined'. Subsequently, the Planning Committee also resolved to grant planning permission for an identical scheme at Burnham House (ref. 2024/00254/FUL) under the 04.03.2025 Planning Committee. On this basis, withholding planning permission on the failure to meet the 2.5m finished floor to ceiling height alone would not be considered justifiable.

+ Light, outlook and privacy

- 6.13 Policy HO4 of the Local Plan (2018) specifies that new housing should provide a high-quality residential environment and be well designed internally and externally. Policy HO11 of the Local Plan (2018) specifies that the Council will ensure that the design and quality of all new housing, including new build, conversions and change of use, is of a high standard that meets the needs of future occupants. Outlook and light will be important considerations in relation to this.
- 6.14 The levels of light and outlook the proposed studio would receive is considered

acceptable. Whilst single aspect, the studio fenestration would be at roof level, facing east and covering a large proportion of the rear elevation of the roof extension. In terms of privacy, no properties are located to the rear of Burnham House to overlook the proposed studio (as the rear elevation faces onto railway lines). The proposed roof terrace would be enclosed by 1700mm obscure glazed screens to the sides which would prevent overlooking of the private space from neighbouring properties.

+ External amenity space

- 6.15 Policy D6 of the London Plan (2021) outlines that where there are no higher local standards in the borough development plan documents, a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings, and an extra 1sqm should be provided for each additional occupant. Key Principle HS1 of the Planning Guidance SPD (2018) specifies that all new dwellings should have access to an area of amenity space, appropriate to the type of housing being provided.
- 6.16 The proposed development would involve the removal of part of the pitched roof of the back addition to form a roof terrace enclosed by 1700mm high obscure glazed screens to the sides. The roof terrace would be accessible to the flat through French doors to the rear elevation of the rear roof extension. The proposed roof terrace (9.6sqm, as measured on the proposed floor plan) would be in excess of the minimum 5sqm requirement specified by Policy D6 of the London Plan (2021). As such, it is considered that the proposed development would provide sufficient external amenity space for future occupants of the proposed residential unit. The use of the roof terrace and the impact on residential amenity is considered later in the report.

+ Noise

- 6.17 Policy CC11 (b) of the Local Plan (2018) specifies that housing, schools, nurseries, hospitals and other noise sensitive development will not normally be permitted where the occupants/users would be affected adversely by noise, both internally and externally, from existing or proposed noise generating uses.
- 6.18 The Council's Environmental Protection team have reviewed the proposal, and they have highlighted that due to the proximity of the application site to the Hammersmith and City Tube line to the rear of the site, a pre-commencement condition relating to a noise assessment (including reflected and re-radiated noise) would be considered necessary to ensure that future occupants of the proposed residential unit. The applicant has agreed to the imposition of this condition in writing, and accordingly officers are satisfied that the proposal could mitigate against future occupants from being exposed to harmful levels of noise and disturbance, in accordance with Policy CC11 of the Local Plan (2018).
- 6.19 Officers note that the proposal's potential impact on the levels of noise and disturbance neighbouring occupants would be exposed to will be assessed in the 'impact upon neighbouring amenity' section of this committee report.

DESIGN AND HERITAGE

- 6.20 Paragraphs 135 and 139 of the National Planning Policy Framework (NPPF, 2024) 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 that is not well designed.
- 6.21 Paragraph 212 of the NPPF (2024) specifies 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. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 215 of the NPPF (2024) sets out that where a development 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.
- 6.22 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. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.
- 6.23 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.
- 6.24 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that: 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'
- 6.25 The application site is situated within the Melrose conservation area, and the site does not contain a Listed Building or a locally listed Building of Merit. The significance of the Melrose conservation area, is largely owing to its rapid development and evolution during the late 1800s to form a series of residential terraces. Paragraph 6.9 of the Melrose conservation area character profile (CACP) outlines that the design of any rear roof extension should be sympathetic to the character of the conservation area. Where they are visible from the street, including long views, then particular attention will need to be paid to their appearance.
- 6.26 Rear main roof extensions are a common and established form of development to this type of property not only within this terrace, but also within the Melrose conservation area and the wider borough. The proposal would increase the ridge

height of the main roof by 300mm, and introduce a mansard style roof, with a flat roofed element and rear roof slope of 70 degrees. The extension would also introduce a centralised flat roofed element incorporating windows and a door providing access to a rear roof terrace. This would be consistent with rear roof extensions approved and built within the subject terrace at Irene House (Ref.2014/02692/FUL), Eric House (Ref.2015/04272/FUL), Percy House (Ref.2015/00344/FUL) and Holkham House (Ref.2017/03247/FUL), as well as with the rear roof extension recently allowed on appeal at Hazel House (Ref. 2020/02012/FUL) and that subsequently granted planning permissions at Holme House (Ref: 2021/03992/FUL) and Myrtle House (Ref. 2022/00833/FUL). On this basis the proposed roof extension would be in-keeping with the character and appearance of the application building and the subject terrace.

- 6.27 The proposed roof terrace, on top of the back addition, would be limited in area to 9.6sqm (as measured via the submitted drawings) and would be similar in appearance, to terraces/ glazed screens which already exist in the terrace at Percy House, Eric House and Holkham House, as well as to the terraces recently allowed at Hazel House, Holme House and Myrtle House (references quoted above).
- 6.28 Given the limited extent of visibility of the proposals, and limited impact upon the street environment of Sulgrave Road; coupled with the established principle of such development within this terrace, the development is not considered to result in any harm to the conservation area. The proposals would preserve the character and appearance of the property, the subject terrace and the Melrose Conservation Area. The proposed development would also not have any adverse impacts upon the setting of Hammersmith Grove conservation area to the west of the site, as the rear elevation and roofscape of the application property is not prominent or visible in extensive views within the adjacent conservation area.
- 6.29 In view of the above, the design and appearance of the proposals at roof level are considered acceptable. The proposals are in keeping with character and appearance of the subject building and the terrace of which it forms a part of, and would not harm the character or significance of the Melrose conservation area, or the setting of the Hammersmith Grove conservation area. Materials are secured by a condition.
- 6.30 Furthermore, officers highlight that a similar application at Hazel House, Sulgrave Road (application ref. 2020/02012/FUL) was allowed on appeal by the Planning Inspectorate. In Paragraph 19 of that Appeal Decision (dated 14 June 2021), the Planning Inspector stated, with regard to the design of the proposal and its impact upon the character and appearance of the Melrose Conservation Area, that 'To my mind, the proposal would not necessarily manifest itself significantly differently than the existing residential use of Hazel House insofar as the character and appearance of the local area is concerned. The proposed roof alterations are modest in scale and acceptable in visual terms, and also in keeping with the character and appearance of the host property. As such, Hazel House and the terrace of which it forms part would continue to add to the significance of the CA as a heritage asset. Consequently, the character and appearance of the CA would be preserved'. Officers also highlight that the Planning Committee resolved to grant planning permission for an identical scheme at Burnham House (ref. 2024/00254/FUL) at the 04.03.2025 Planning Committee.

- 6.31 Officers have assessed the impact of the proposal on the heritage assets and consider that it is compliant with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal is also in line with national guidance in the NPPF (2024) and strategic local policies on the historic environment and urban design.
- 6.32 The proposed development is also considered acceptable in accordance with Sections 12 and 16 of the NPPF (2024), Policy HC1 of the London Plan (2021) and Policies DC1, DC4 and DC8 of the Local Plan (2018).

IMPACT UPON NEIGHBOURING AMENITY

- 6.33 Policy HO11 of the Local Plan (2018) specifies that any proposal should ensure an acceptable impact upon the amenity of neighbouring residential occupants, especially with regard to outlook, privacy, daylight/sunlight and a sense of enclosure.
- 6.34 Key Principles HS6, HS7 and HS8 of the Planning Guidance SPD (2018) provide guidance on how proposals should mitigate against detrimental harm to the amenity of neighbouring occupants, in regard to a loss of outlook, privacy and noise levels.
- 6.35 In this case, the key considerations are the impact to the six existing flats within Royston House, and to the flats within the adjoining mansion blocks of Irene House and Suffolk House. No residential properties would be located to the rear of the proposed development.

+ Daylight and sunlight

- 6.36 The proposed development would not result in undue harm to daylight/sunlight levels. Notably, the bulk of the proposed development would be contained within the main roof of the parent building, and the proposed terrace screening would consist of obscured glass, which would still allow light through to neighbouring properties. Overall, the proposal would not be considered detrimental to the amenity of neighbouring occupants, with regard to outlook, light and a sense of enclosure.

+ Outlook

- 6.37 The proposed development would not result in undue harm to outlook. No residential properties would be located directly to the rear of the proposed development, with the Hammersmith and City Tube line beyond the rear boundary of the application site. Furthermore, because the bulk of the rear roof extension would be contained to the main rear roof slope of the parent building and would not extend over the existing back addition, this element of the proposal would not be visible from the existing windows serving the existing six residential units within Royston House, and would not result in detrimental harm to the amenity of neighbouring occupants when viewed from the back addition windows serving Irene House and Suffolk House.

6.38 The proposed screens on top of the back addition, serving the terrace, would be no higher than the existing ridge height of the back addition, would have a modest projection, and would be set back by over 1m from either side elevation. Together with the lightweight and largely transparent material, it is not considered the screens would cause undue harm to outlook to the windows contained within the main building and back additions of both Holkham House and Irene House either side of the subject building, in accordance with Key Principle HS7 of the Planning Guidance SPD (2018).

+ Privacy

6.39 Key Principle HS7 (iii) of the Planning Guidance SPD (2018) specifies that any new windows should be positioned at least 18m away from existing habitable room windows, 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.

6.40 The proposed development would not result in undue harm. The newly created fenestration would face the railway line to the rear of the site. The proposed terrace would be enclosed by 1.7m high obscure glazed privacy screens to the sides and as such no views would be afforded into the windows of the properties located either side of the subject building (Irene House and Suffolk House). The glazing specification is secured by a condition.

+ Noise

6.41 Policy D14 of the London Plan (2021) outlines that in order to reduce, manage and mitigate noise, residential and other non-aviation development proposals should manage noise by, amongst other measures, mitigating and minimising the existing and potential adverse impacts of new development.

6.42 Policies CC11 and CC13 of the Local Plan (2018) specify that all proposed development will be required to demonstrate that there will be no undue detriment to the general amenities enjoyed by existing surrounding occupiers as a result of nuisances (including noise).

6.43 Key Principle NN3 of the Planning Guidance SPD (2018) states that in the design of new residential dwellings (including change of use and conversions), careful consideration should be given to stacking and layout of rooms in relation to adjoining walls, floors and ceilings. To ensure the amenity of occupiers is not adversely affected by noise, the council expects all parts of adjoining dwellings to enhance the sound insulation, including where the adjoining room is of a similar use.

6.44 The proposed residential studio unit would sit above the existing habitable rooms of Flats 5 and 6, which occupy the second-floor level of Royston House. There is therefore potential for noise transmission between both the new and the existing flats.

6.45 Officers highlight that planning permission was refused at Hazel House (Ref.

2020/02012/FUL) for a similar scheme on grounds relating to noise transmission, however this was not supported by the Inspector during the subsequent appeal. In determining the appeal, the Inspector considered the supporting acoustic report and concluded in Paragraph 16 that 'with a suitable condition in place to secure appropriate insulation, as proposed, I conclude that the proposal would not materially harm the living conditions of existing or future occupiers with regard to noise, vibration or general disturbance'.

- 6.46 Separately, as part of the Hazel House Appeal, the Inspector acknowledged that there would be some additional activity associated with an extra resident, such as the general coming and going of people and their visitors to the property. However, the Inspector stated in Paragraph 15 of the Appeal decision that, 'there is no convincing evidence that the additional noise and general disturbance associated with these movements would be so great as to materially harm the living conditions of others'.
- 6.47 The Council's Environmental Protection team have been consulted on the current planning application, and following review, have confirmed that the proposed sound insulation would be compliant with the relevant Building Regulation standards. They therefore raise no objection to the sound insulation specification (Ref. 0901241NR, REV 0.0, dated 31.01.2024) prepared by Peak Acoustics Ltd, subject to a compliance condition being attached to ensure that this is installed prior to occupation of the proposed residential unit.
- 6.48 Key Principle HS8 of the Planning Guidance SPD (2018) specifies that planning permission will not be granted for roof terraces or balconies if the use of the terrace or balcony is likely to cause harm to the existing amenities of neighbouring occupiers by reason of noise and disturbance. Supporting Paragraph 3.16 of the Planning Guidance SPD (2018) specifies that the Council may seek for balconies and terraces to be no bigger than 15sqm to reduce noise and disturbance to neighbours.
- 6.49 The proposed terrace would not exceed the typical guidance on terrace sizes contained within Key Principle HS8 of the Planning Guidance SPD (2018), and accordingly, would be considered to limit the number of people who could occupy the terrace at any one time. This is considered sufficient to prevent neighbouring occupants from being exposed to harmful levels of noise associated with usage of the terrace.
- 6.50 Overall, for the reasons outlined above, the proposal would be considered to mitigate against detrimental harm to the amenity of neighbouring occupants with regard to outlook, light, privacy and noise, consistent with Policy D14 of the London Plan (2021), Policies CC11, CC13 and HO11 of the Local Plan (2018) and Key Principles HS6, HS7, HS8 and NN3 of the Planning Guidance SPD (2018).

HIGHWAYS/PARKING AND REFUSE/RECYCLING

+ Highways/parking

- 6.51 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

6.52 Policy T6 (B) of the London Plan (2021) specifies that car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport.

6.53 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.

6.54 Using Transport for London's methodology, the application site has a PTAL 6a rating, indicating excellent public transport accessibility levels. Accordingly, to be compliant with Policy T6 of the London Plan (2021), Policy T4 of the Local Plan (2018) and to prevent an increase in parking stress within surrounding streets, as well as to reduce the impact on air quality which additional car generation would otherwise create, it should be ensured that the proposed residential unit is car parking permit free. The Council's chosen method to ensure car parking permit free development is via a Legal Agreement, and the applicant has confirmed in writing that they are willing to agree a Legal Agreement to secure the proposed residential unit as car free development. Subject to this, officers are satisfied that the proposal would mitigate against harmfully exacerbating any existing levels of parking stress and congestion within the locality, or from impacting on air quality levels. This is considered to be in accordance with Policy T6 of the London Plan (2021) and Policies T4 and CC10 of the Local Plan (2018).

6.55 The current application proposes to locate the cycle storage internally, utilising the under stair communal cupboard in the hallway. Comments received from residents' question whether a bicycle can fit in the space and suggest the storage of the bicycle would obstruct access to the building's meters located inside. Officers highlight that the same internal cycle storage location was proposed as part of planning application ref. 2015/05734/FUL, and whilst that was not deemed acceptable by the Council, this was not supported by the Planning Inspector in determining that appeal (Appeal Decision dated 27.01.2017). The Planning Inspector was satisfied that the use of the space under the stairs for cycle storage was an acceptable solution and accordingly did not uphold that particular reason for refusal.

6.56 Officers note that the proposed cycle storage would provide secure and weather-proof storage and that a similar arrangement was also allowed under the previous appeal at Hazel House (Ref. 2020/02012/FUL), and under Ref. 2022/00833/FUL at Myrtle House. Furthermore, an identical cycle storage arrangement was proposed at Burnham House (Ref. 2024/00254/FUL), which Planning Committee resolved to grant planning permission on 04.03.2025. Accordingly, officers raise no objection to this element of the proposal, which is considered to be consistent with Policy T5 of the London Plan (2021).

+ Refuse/recycling

6.57 Policy CC7 of the Local Plan (2018) specifies that all developments should aim to minimise waste and should provide convenient refuse and recycling storage facilities.

6.58 The existing ground-floor plan demonstrates that the existing bin storage is located within the front garden of Royston House, and this was confirmed during the officer site visit. Annotations on the proposed ground-floor plan specify that one additional bin would be provided for the proposed residential studio unit, and that this would be stored in a similar location to the existing bins. Officers consider that this arrangement would ensure adequate provision for bin storage for future occupants of the proposed residential unit. Accordingly, officers are satisfied that the proposal would be compliant with Policy CC7 of the Local Plan (2018).

FLOOD RISK

6.59 The application site lies within the Environment Agency's Flood Risk Zones 2 and 3, and accordingly a flood risk assessment (FRA) would typically be required by Policy CC3 of the Local Plan (2018). Whilst acknowledged that a FRA has not been submitted as part of this application, officers recognise that the proposal relates to the erection of a rear roof extension to accommodate a residential studio unit. Accordingly, the siting of the proposal is considered sufficient to mitigate against harmfully exacerbating the application site's flood risk.

AIR QUALITY

6.60 NPPF (2024) Paragraph 199 relates to air quality, and states planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan. The councils Air Quality Action Plan 2025-2030 was approved and adopted by the council on the 16th of December 2024.

6.61 The development site is within the borough wide Air Quality Management Area (AQMA) and in an area of existing poor air quality due to the road traffic emissions from Shepherds Bush Road (A219) and Goldhawk Road (A402).

6.62 The Council's Air Quality team have reviewed the application and recommended conditions 6, 7 and 8 to secure details of air quality mitigations to ensure the development is in accordance with Local Plan Policies CC1 and CC10, London Plan Policy SI 1, and the councils Air Quality Action Plan.

FIRE SAFETY AND ACCESSIBILITY

6.63 London Plan Policies D5, D7 and Local Plan Policies HO6, DC1, DC4 and HO11 require development proposals to achieve the highest standards of accessible and inclusive design. London Plan Policy D5 part 4) states development should be able to be entered, used and exited safely, easily and with dignity for all.

6.64 In the interests of fire safety and to ensure the safety of all building users, Policy D12 of the London Plan (2021) states that 'all development proposals must achieve the highest standards of fire safety'. Part A of Policy D12 specifies that proposals should ensure that they:

- 1) Identify suitably positioned unobstructed outside space:
 - a) for fire appliances to be positioned on
 - b) appropriate for use as an evacuation assembly point
- 2) Are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures
- 3) Are constructed in an appropriate way to minimise the risk of fire spread
- 4) Provide suitable and convenient means of escape, and associated evacuation strategy for all building users
- 5) Develop a robust strategy for evacuation which can be periodically updated and published, and which all building users can have confidence in
- 6) Provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.

6.65 As required by Policy D12 of the London Plan (2021), a fire strategy statement (dated 01.02.2024) has been submitted as part of this proposal. This outlines how consideration has been given to Part A, criteria 1 - 6 of Policy D12. Officers do also highlight that 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'.

6.66 The proposal has been reviewed by the Council's Building Control Fire Safety & Means of Escape Officer. Their comments confirm that because the proposal seeks to add an additional floor to the building, there is a requirement to improve the means of escape to meet current Building Control standards; which is the reason for the proposed installation of fire doors and glazed screens to create internal fire lobbies. The creation of internal fire lobbies is considered to be a significant improvement to the means of escape for existing and future occupants, and the use of glazed doors is not a concern as long as these meet the required fire-resisting standards. Glazed screens would also have the added benefit of allowing a greater proportion of natural light into the internal landings and staircases. While it is acknowledged that the fire doors will add a further obstruction for residents when evacuating the building, they are an important means to resist fire spreading throughout the building, and as such on balance are considered an overall benefit to the occupiers of the building. Although the depth of the lobby is reduced this still meets the building regulation standards and the width of the lobby remains as existing.

6.67 In respect of how an elderly person or somebody with impaired mobility may navigate the new fire doors, the finer details on the doors would be agreed under the building regulations and not planning. Nonetheless, the Council's Building Control Fire Safety & Means of Escape Officer is satisfied that the residents will be able to evacuate their properties appropriately and without significant hindrance.

6.68 The Council's Building Control Fire Safety & Means of Escape Officer has confirmed that all works, materials and installations would be examined during the

building control process, and that as part of this, a consultation with the fire service would also be undertaken seeking their observations.

- 6.69 On this basis the proposals would ensure an accessible environment for existing and future occupiers; and in terms of fire risk the details provide are acceptable for the purposes of planning.

BIODIVERSITY NET GAIN

- 6.70 Biodiversity Net Gain (BNG) became mandatory for major development proposals from 12th February 2024 and for minor development proposals from 2nd April 2024.

- 6.71 Officers highlight that the current planning application would be considered a minor development, and that the application was received on 06.02.2024 and validated on 12.02.2024. Accordingly, by reason of the application date preceding the introduction of BNG, the development would be exempt from BNG.

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 the net-gain of one self-contained residential studio unit of satisfactory standard, contributing towards the borough's housing supply targets. Furthermore, the scale, massing, design and material finishes would ensure a high standard of design which would preserve the character and appearance of the surrounding area and designated heritage assets, whilst mitigating against detrimental harm to the amenity of surrounding occupants. Highway impacts would be mitigated via a Legal Agreement (Unilateral Undertaking) to secure car permit free development.
- 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

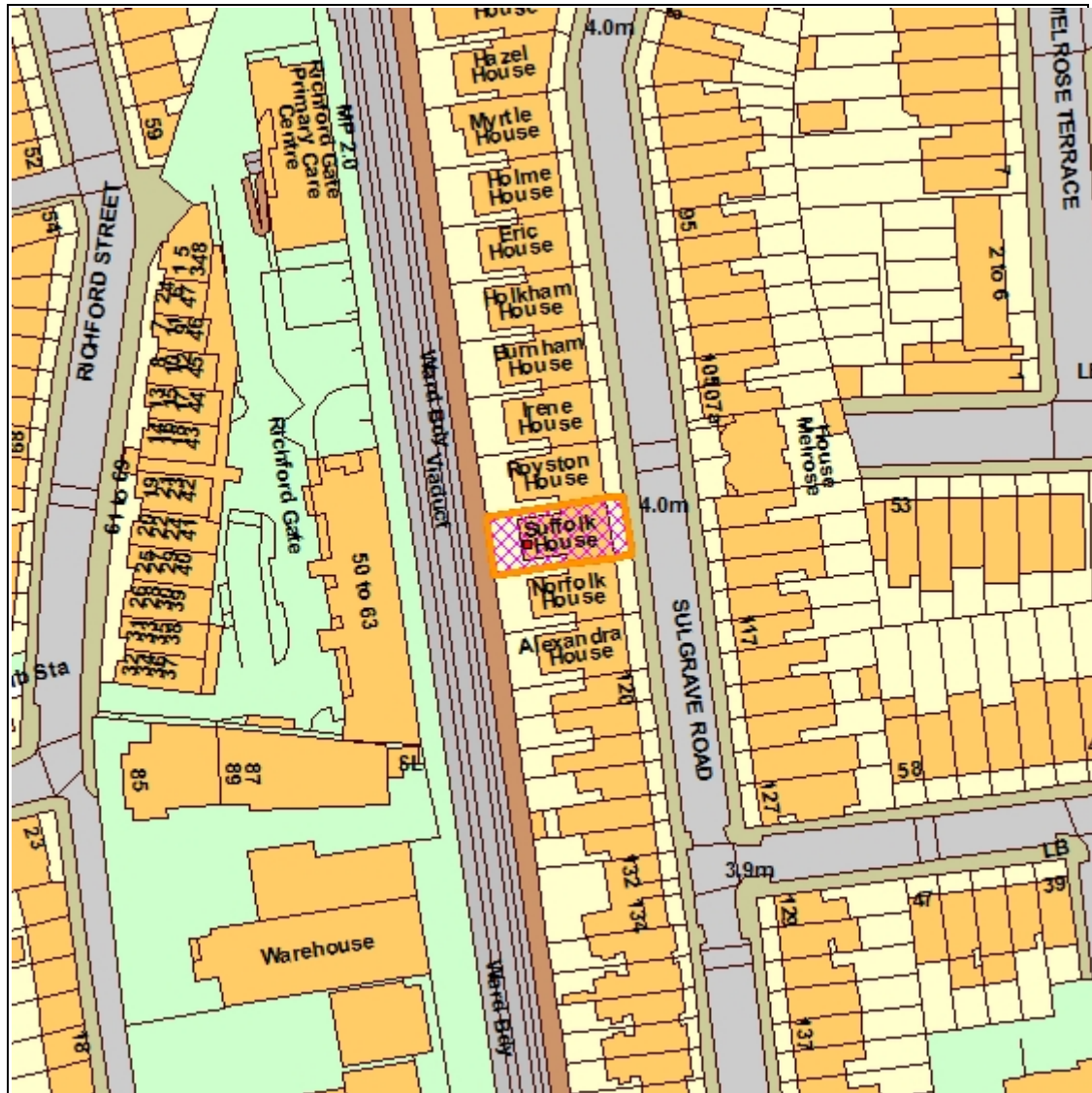
- 8.1 Grant permission, subject to conditions and a unilateral undertaking.

Agenda Item 7

Ward: Addison

Site Address:

Suffolk House Sulgrave Road London W6 7QS



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For identification purposes only - do not scale.

Reg. No:

2024/00252/FUL

Case Officer:

Elliot Brown

Date Valid:

12.02.2024

Conservation Area:

Constraint Name: Melrose Conservation Area -
Number 26

Committee Date:

08.07.2025

Applicant:

Shapemenu Ltd.
Willmotts 12 Blacks Road Hannersmith London
W6 9EU

Description:

Erection of a rear roof extension involving an increase in the ridge height by 300mm, in connection with the creation of a new self-contained studio flat; alterations to part of the roof of the back addition to incorporate a flat roof and the erection of 1.7m high obscure glazed privacy screening around the resultant flat roof at third floor level to the rear elevation, in connection with its use as a terrace.

Drg Nos:

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 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:

2546-P01 REV A (dated 09.02.2024); 2546-P02 (dated 05.02.2024); 2546-P03 (dated 05.02.2024); 2546-P04 (dated 05.02.2024); Sound Insulation Specification (Ref. 0901241NR, REV 0.0, dated 31.01.2024) prepared by Peak Acoustics Ltd.

To ensure full compliance with the planning application hereby approved and to

prevent harm arising through deviations from the approved plans.

- 3) The development hereby approved shall be carried out and completed in accordance with the materials details (including colour and finish) specified below:

- External finish to rear roof extension: Natural grey slate tiles.
- The party/flank walls of the rear roof extension: Constructed from brick to match the existing building in terms of colour, range, texture and pointing.
- Rear dormer projection: Clad in lead.
- Terrace Screening: Obscure-glass with a minimum obscurity equivalent to Pilkington Texture Glass Level 3.

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) The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground), have been submitted to and approved in writing by the local planning authority which:

- Provide construction details on the rear roof extension;
- Provide details on the use of tall plant, scaffolding and lifting equipment;
- Accommodate the location of the existing London Underground structures - the property is adjacent to the open section of TfL's operational railway. To ensure safety of TfL's railway from debris falling during construction or things being thrown post construction, any opening windows, balconies or terraces facing the railway elevation will require prior approval from LU Engineers and mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with the London Plan 2021, draft London Plan policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

- 5) Prior to commencement of the development, a noise assessment shall be submitted to the Council for approval of external noise levels, including 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 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.

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).

- 6) Prior to occupation of the development, details (including manufacturer specification, installation/commissioning certificates, gas supply/meter site clear certificate, and photographic confirmation) of the installed Air Source Heat Pump (ASHP), Heat Battery Boiler, Electric Boiler or alternative electrical only heating systems to be provided for space heating and hot water for the self-contained dwellinghouse (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 safeguard local air quality in the councils boroughwide air quality management area, in accordance with Policies CC1 and CC10 of the Local Plan (2018) and the councils Air Quality Action Plan.

- 7) Prior to occupation of the development hereby permitted, details (including manufacturer specification, installation/commissioning certificates, gas supply/meter site clear certificate, and photographic confirmation) of the installed electric induction cooking appliance in the kitchen of the self-contained dwellinghouse (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 Policy CC10 of the Local Plan (2018) and the councils Air Quality Action Plan.

- 8) Prior to occupation of the development hereby permitted, details (including manufacturer specification, installation/commissioning certificates and photographic confirmation) of the installed Waste Water Heat Recovery System (WWHRS) for the self-contained dwellinghouse (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 increase energy efficiency in domestic buildings and to safeguard local air quality in the councils boroughwide air quality management area, in accordance with Local Plan Policies CC1 and CC10 and the councils Air Quality Action Plan'.

- 9) The terrace hereby approved shall not be first used until the privacy screening has been installed as shown on approved drawing nos. 2546-P01 REV A (dated 09.02.2024), 2546-P02 (dated 05.02.2024), 2546-P03 (dated 05.02.2024) and 2546-P04 (dated 05.02.2024). The privacy screening shall achieve a minimum level of obscurity equivalent to Pilkington Texture Glass Level 3 and shall have a height of 1.7m above the finished floor level of the terrace along the flank elevations of the terrace hereby approved. The privacy screening to the rear elevation of the terrace shall have a height of 1.7m above the finished floor level of the terrace hereby approved. The privacy screening shall thereafter be permanently retained as approved.

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

- 10) Other than the area shown as a terrace on the approved plans no part of the remainder of the roof atop of the existing back addition or atop the rear roof extension hereby approved 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).

- 11) The refuse, recycling and bicycle storage shall be installed in accordance with the details on approved drawing Nos. 2546-P01 REV A (dated 09.02.2024) and 2546-P02 (dated 05.02.2024) prior to occupation of the self-contained residential unit hereby approved. The refuse, recycling and bicycle storage shall thereafter be permanently maintained for the lifetime of the development.

To ensure a satisfactory provision of refuse, recycling and bicycle storage, in accordance with Policy T5 of the London Plan (2021) and Policy CC7 of the Local Plan (2018).

- 12) In line with achieving 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/external terrace areas ($L_{nT,w}$) separating different types of rooms/ uses in adjoining dwellings, the specifications and recommendations within the Sound Insulation Specification (Ref. 0901241NR, REV 0.0, dated 31.01.2024) prepared

by Peak Acoustics Ltd shall be fully implemented prior to occupation of the development hereby approved and thereafter be permanently retained as such.

To ensure that the amenity of occupiers of the development site is not adversely affected by noise, in accordance with Policy D14 of the London Plan (2021) and Policies CC11 and CC13 of the Local Plan (2018).

- 13) The rear roof lights hereby approved shall be conservation style roof lights and thereafter permanently retained in this form.

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

- 14) No water tanks or water tank enclosures shall be erected upon the remainder of the roof atop of the existing back addition or atop the roof of the rear roof extension hereby permitted.

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

Justification for Approving the Application:

- 1) The proposal would result in the net-gain of one residential unit, contributing towards the Borough's housing targets, whilst ensuring a satisfactory standard of accommodation for future occupants. Furthermore, the proposed alterations to the parent building would be of an acceptable design and appearance and would preserve the character and appearance of the Melrose conservation area and the setting of the Hammersmith Grove conservation area. The proposal would mitigate against unduly detrimental harm to the amenity of neighbouring occupants, as well as highways/parking and flood risk. In these respects, the proposal would be compliant with, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Sections 5, 12 and 16 of the National Planning Policy Framework(2024), Policies D6, D12, D14, H1, HC1, T5 and T6 of the London Plan (2021), Policies CC3, CC7, CC10, CC11, CC13, DC1, DC4, DC8, HO1, HO4, HO11, T1, T3 and T4 of the Local Plan (2018) and Key Principles CAG3, HS6, HS7, HS8 and NN3 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: 5th February 2024

Drawing Nos: see above

Policy documents: National Planning Policy Framework (NPPF) 2024
The London Plan 2021
LBHF - Local Plan 2018
LBHF – Planning Guidance Supplementary Planning Document
2018

Consultation Comments:

Comments from:

Crime Prevention Design Advisor - Hammersmith
London Underground Limited

Dated:

29.02.24
15.02.24

Neighbour Comments:

Letters from:

Dated:

4 Suffolk House Sulgrave Road London W6 7QS	11.03.24
4 Hazel House Sulgrave Road W6 7QF	11.03.24
Flat 1 Hazel House Sulgrave Road London W6 7QF	10.03.24
Holden Properties Group Typhoon Building Oakcroft Road KT9 1RH	06.03.24
5 Royston House Sulgrave Road London W6 7QR	11.03.24
5 Royston House Sulgrave Road London W6 7QR	10.03.24
6 Suffolk House Sulgrave Road London W6 7QS	11.03.24
Flat 2 Eric House Sulgrave Road London W6 7QL	07.03.24
Flat 3 Irene House Sulgrave Road London W6 7QP	11.03.24
Flat 2 Eric House Sulgrave Road London W6 7QL	07.03.24
Flat 1 Hazel House Sulgrave Road London W6 7QF	02.03.24
5 Suffolk House Sulgrave Road London W6 7QS	11.03.24
Flat 1 Eric House, Sulgrave Road London W6 7QL	24.03.24

COMMITTEE REPORT

1.0 SITE DESCRIPTION

- 1.1 On the eastern side of Sulgrave Road is a row of twelve three-storey, double bay fronted, Victorian residential buildings. The names of these twelve buildings going from south to north are as follows: Alexandra House, Norfolk House, Suffolk

House, Royston House, Irene House, Burnham House, Holkham House, Eric House, Holme House, Myrtle House, Hazel House and Percy House. The properties are all purpose built as flats.

- 1.2 The current application relates specifically to Suffolk House, which accommodates a total of six flats, two per floor. Suffolk House is not a Listed Building or a locally listed Building of Merit, although it is situated within the Melrose Conservation Area.
- 1.3 The application site lies within the Environment Agency's Flood Risk Zones 2 and 3.
- 1.4 The application site has a Public Transport Accessibility Level (PTAL) of 6a (excellent).

PLANNING HISTORY

- 2.1 Officers highlight that there is extensive planning history for the buildings referred to in paragraph 1.1 of this delegated report, as outlined below.

2007/00434/FUL - Erection of a rear roof extension on each building (Percy House / Hazel House / Myrtle House / Holme House / Eric House / Holkham House / Burnham House / Irene House / Royston House / Suffolk House / Norfolk House), including an increase in the existing ridge height in each case by up to a maximum of 300mm. The application was granted planning permission on 10.04.2007.

2015/05734/FUL - Erection of rear roof extensions, erection of rear extensions at third floor level over part of the existing back additions in connection with the creation of self-contained studio flats and the formation of roof terraces at third floor level on top of each property: Hazel House, Myrtle House, Holme House, Holkham House, Burnham House, Royston House, Suffolk House and Norfolk House. The application was refused planning permission on 18.07.2016, for the following reasons:

- 1) Excessive density/over development; 2) Inadequate cycle and refuse storage; 3) Unneighbourly development; 4) Visual amenity; 5) noise disturbance resulting from the high-level roof terraces; and 6) Absence of sustainable drainage and impact on flooding.

The subsequent appeal (appeal ref. APP/H5390/W/16/3160276) was dismissed on 27.01.2017 solely on grounds of design and character and appearance (Reason for refusal 4). All other reasons for refusal were not upheld by the Planning Inspector.

- 2.2 In addition to the joint planning history above, there is also planning history relating to individual buildings, as outlined below.

+ Irene House

2014/02692/FUL - Erection of a rear roof extension, involving an increase in the ridge height by 300mm; installation of two rooflights in the front roofslope. The application was granted planning permission on 04.08.2014.

+ Percy House

2015/00344/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm including the raising of the party walls and chimney stack and formation of a roof terrace (Amendments to previously approved planning permission ref: 2013/01607/FUL). The application was granted planning permission on 25.06.2015.

+ Eric House

2015/04272/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm including the raising of the party walls and chimney stack and formation of a roof terrace (Amendments to previously approved planning permission ref: 2013/01607/FUL). The application was granted planning permission on 25.06.2015.

+ Holkham House

2017/03247/FUL - Erection of a rear roof extension; erection of a rear extension at third floor level over part of the existing back addition; alterations to part of the roof of back addition to incorporate a flat roof and the erection of privacy screen around the flat roof at third floor level to the rear elevation in connection with its use as a terrace. The application was granted planning permission on 17.11.2017.

+ Hazel House

2018/01617/FUL: Erection of a rear roof extension involving an increase in the ridge height by 300mm, in connection with the formation of 1no. self-contained studio flat; removal of part of the pitched roof of the back addition at third floor level to form a roof terrace enclosed with a 1700mm high obscured glazed screen atop part of the back addition; installation of French doors to the rear elevation at third floor level in order to allow access to the proposed roof terrace. The application was refused planning permission on 14.09.2018, for the following reasons:

- 1) Insufficient quality of residential accommodation. Notably, the proposal failed to meet the minimum finished floor to ceiling height standards of the London Plan (2016) and the Nationally Described Space Standards (2015), and the internal stacking arrangement meant that the amenity of occupiers would be adversely affected by noise and vibration.

2019/00670/FUL - Erection of a rear roof extension involving an increase in the ridge height by 393mm in connection with the creation of 1 x self-contained studio flat;

alterations to part of the roof of back addition to incorporate a flat roof and the erection of privacy screen around the flat roof at third floor level to the rear elevation in connection with its use as a terrace. The application was refused planning permission on 01.05.2019, for the following reasons:

- 1) Visual amenity: excessive increase in ridge height (393mm) including a step, and an almost vertical rear roof slope (83 degrees) would be out of keeping with the prevailing pattern of development established throughout the terrace, and would harm the character and appearance of the Melrose Conservation Area; and
- 2) Substandard living environment: noise and vibration due to non-uniform room stacking.

The subsequent appeal (appeal ref. APP/H5390/W/19/3235745) was dismissed on 20.12.2019 solely on grounds of design and character and appearance.

2020/00806/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm in connection with the creation of a self-contained studio flat; alterations to the roof of back addition to incorporate a flat roof and the erection of privacy screen around the flat roof at third floor level to the rear elevation in connection with its use as a terrace. The application was refused planning permission on 02.07.2020, for the following reasons:

- 1) Visual amenity: steep rear roof slope (75 degrees) would be out of keeping with the prevailing pattern of development established throughout the terrace, and would harm the character and appearance of the Melrose Conservation Area;
- 2) Substandard living environment: failure to meet minimum floor space and floor to ceiling height standards; and
- 3) Inadequate cycle parking: located on land not within ownership of applicant.

2020/02012/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm in connection with the creation of a self-contained studio flat; alterations to the roof of back addition to incorporate a flat roof and the erection of privacy screen around the flat roof at third floor level to the rear elevation in connection with its use as a terrace. The application was refused planning permission on 13.11.2020, for the following reasons:

- 1) Substandard living environment: failure to meet minimum floor space and floor to ceiling height standards;
- 2) Impact to character of conservation area: intensification and overdevelopment of the site; and impact to residential amenity;
- 3) Inadequate cycle parking and refuse storage: cycle parking located in an area which the applicant does not have sole access to, and insufficient space to accommodate additional bins; and
- 4) Impact to residential amenity: noise and vibration due to non-uniform room stacking and inadequate sound insulation.

The subsequent appeal (appeal ref. APP/H5390/W/20/3263632) was allowed on 14.06.2021.

+ Holme House

2021/03992/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm in connection with the creation a new self-contained studio flat; alterations to part of the roof of the back addition to incorporate a flat roof and the erection of privacy screens around the resultant flat roof at third floor level to the rear elevation in connection with its use as a terrace. The application was granted planning permission on 11.02.2022.

+ Myrtle House

2022/00833/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm in connection with the creation a new self-contained studio flat; alterations to part of the roof of the back addition to incorporate a flat roof and the erection of privacy screens around the resultant flat roof at third floor level to the rear elevation in connection with its use as a terrace. The application was granted planning permission on 07.07.2022.

+ Burnham House

2024/00254/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm, in connection with the creation a new self-contained studio flat; alterations to part of the roof of the back addition to incorporate a flat roof and the erection of 1.7m high obscure glazed privacy screening around the resultant flat roof at third floor level to the rear elevation, in connection with its use as a terrace. The application was resolved to be granted planning permission at Planning Committee on 04.03.2025.

3.0 PROPOSAL

3.1 The proposal seeks planning consent for the 'Erection of a rear roof extension involving an increase in the ridge height by 300mm, in connection with the creation of a new self-contained studio flat; alterations to part of the roof of the back addition to incorporate a flat roof and the erection of 1.7m high obscure glazed privacy screening around the resultant flat roof at third floor level to the rear elevation, in connection with its use as a terrace'.

4.0 CONSULTATIONS

Neighbouring responses

4.1 50 surrounding properties were notified of the proposal via letter.

4.2 A site notice and a press notice were displayed/published.

4.3 13 representations have been received, which object to the proposal on the following grounds:

- The application should be determined at planning committee;
- The proposal would represent over-development of the application property
- The proposal would fail to preserve or enhance the character and appearance of the Melrose Conservation Area. Notably, the rooflines of 8 of the 12 buildings in the terrace remain unaltered and cohesive in their original form, design and purpose.
- The proposal could be viewed from business properties but also by the public and by people in other private residences.
- Previous planning applications for this group of buildings have been refused both by the Council and by the Planning Inspectorate.
- The size of the proposed terrace (which is over 11sqm) could hold significantly more than 6 people, as suggested by the applicant, and would be in excess of the 5sqm requirement for a 1-2 person unit set out by the Mayor's Housing SPG. The proposal would therefore result in exposing neighbouring occupants to harmful levels of noise and disturbance.
- The proposal would result in detrimental harm to the amenity of neighbouring occupants with regard to noise, overlooking/privacy and loss of light;
- The proposal would have a harmful impact upon parking congestion, both as a result of the additional residential unit proposed and via construction vehicles
- The size of the proposed terrace (which is over 11sqm) could hold significantly more than 6 people, as suggested by the applicant, and would be in excess of the 5sqm requirement for a 1-2 person unit set out by the Mayor's Housing SPG. The proposal would therefore result in exposing neighbouring occupants to harmful levels of noise and disturbance.
- The provision of cycle parking is not acceptable; this has been shown to be placed in a communal space which is a concern for the whole building, and would not meet the required provision (7 cycle spaces for the whole building);
- There is insufficient provision for refuse and recycling storage for occupants of the proposed residential unit; and this will exacerbate existing issues of refuse storage provision;
- The proposal would result in an intensification of the existing site, exceeding the density matrix within Table 3.2 of the London Plan (2021), and concerns are raised regarding the quality of the accommodation proposed, particularly in terms of unit size;
- The proposal indicates the removal of a roof-space water tank. There is no information regarding the potential impact of this on water pressure and related plumbing requirements.
- How will the applicant and/or the council be enforcing the commitment that the proposed residential unit be occupied by only one person.

- The proposal would result in detrimental harm to neighbouring amenity, with regard to noise and disturbance
- 4 of the existing flats are currently owned to let on short term tenancy agreements, resulting in an average tenure of 12 - 18 months during the last 10 years. These tend to be rented to a younger demographic with home/flexi-working. This leads to huge increases in couriers, home deliveries, visitors etc which increases noise disturbances.
- The proposed residential unit would not be accessible for people with mobility issues.
- Neighbouring occupants would be exposed to significant noise, pollution and disturbance associated with construction works, as well as disruption of access and impact upon safety
- Granting planning permission would be inherently irresponsible, based on the lack of commitment to maintaining the existing property portfolio to an adequate standard. Notably, there are existing issues of mould and water ingress within flats and a lack of maintenance to communal areas of the property.
- There are concerns regarding foundations/the structural stability of the property, given its age.
- The proposal could lead to issues of anti-social behaviour
- The freeholder has made no attempt to discuss the plans with any of the owners/residents within the property or neighbouring properties.

4.4 Officer comment:

- The material planning considerations have been considered and assessed as part of this committee report;
- Measurements taken from the proposed floor plans indicates that the proposed roof terrace would have a footprint of 9.6sqm;
- A number of matters raised (such as the proposal's impact upon property values, noise and disturbance associated with construction works and foundation/structural stability concerns) would fall outside the scope of planning legislation. Environmental Health legislation and Building Control Regulations would be relevant with regard to noise and disturbance associated with construction works and foundation/structural stability concerns.

External consultee responses

4.5 Design out Crime (Metropolitan Police) - No comments/objections.

4.6 Transport for London (TfL) Infrastructure Protection - No objection, subject to a condition (detailed design and method statement in consultation with London

Underground).

5.0 PLANNING 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 2024)

- 5.4 The National Planning Policy Framework (NPPF) came into effect on 27 March 2012 and was revised in 2024 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 Officers consider that the proposal would raise the following material planning

considerations:

- Principle of land use and housing supply;
- Quality of the proposed residential accommodation;
- Design and heritage;
- Impact upon neighbouring amenity;
- Highways/parking and refuse/recycling;
- Flood risk;
- Air quality;
- Fire safety;
- Biodiversity Net Gain.

PRINCIPLE OF LAND USE AND HOUSING SUPPLY

+ Land use

- 6.2 Suffolk House currently contains six self-contained residential units. The proposal would result in the net-gain of one residential unit, and accordingly, would be compatible with the existing land use.

+ Housing supply

- 6.3 The provision of housing is a significant issue, with paragraph 60 of the National Planning Policy Framework (NPPF, 2024) 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 2029. Policy HO1 of the Local Plan (2018) specifies that H&F will seek to provide at least 1,031 new residential dwellings up to 2035.
- 6.4 The proposal would result in the net-gain of one self-contained dwelling, which would contribute towards the Borough's housing supply targets. Accordingly, the provision of residential accommodation would be considered acceptable in principle, consistent with Paragraph 60 of the NPPF (2024), Policy H1, Table 4.1 of the London Plan (2021) and Policy HO1 of the Local Plan (2018).

QUALITY OF THE PROPOSED RESIDENTIAL ACCOMMODATION

- 6.5 Policy D6 of the London Plan (2021) places a significant focus on internal space standards for dwellings, and seeks to ensure that all new housing are of a high quality design and provide adequately sized rooms with comfortable and functional layouts which are fit for purpose and offer the potential to be occupied over time by households of all tenures.
- 6.6 The Nationally Described Space Standards (NDSS) is also relevant with regard to internal space standards.
- 6.7 Policies HO4 and HO11 of the Local Plan (2018) requires all housing to provide a high-quality residential environment and be well designed internally and externally.

+ Internal space standards (unit size and finished floor to ceiling height)

- 6.8 The proposal would involve the creation of new residential floorspace, and accordingly officers consider that the proposed residential unit should be assessed against the unit sizes outlined within Policy D6 of the London Plan (2021) and the NDSS (2015).
- 6.9 The proposed residential unit would be in the form of a 1-person open plan studio unit. Policy D6 of the London Plan (2021) and the NDSS (2015) requires a 1-person residential unit to have a minimum gross internal area (GIA) of 37sqm, including at least 1sqm of built-in storage space. Furthermore, the NDSS (2015) requires a minimum finished floor to ceiling height of 2.3m for at least 75% of the GIA of the proposed residential unit. To address the unique heat island effect of London and the distinct density and flatted nature of most of its residential development, Policy D6 of the London Plan (2021) requires a minimum finished floor to ceiling height of 2.5m for at least 75% of the GIA of the proposed residential unit.
- 6.10 As specified within the 'existing and proposed uses' section of the submitted application form and as measured on the submitted floor plans, the proposed residential unit would measure 37sqm, including 1sqm of built-in storage space. Whilst officers acknowledge that the 2.3m finished floor to ceiling height does not meet the 2.5m requirement of Policy D6 of the London Plan (2021), the Mayor's Housing Supplementary Planning Guidance does state that 'failure to meet one standard would not necessarily lead to an issue of compliance with the London Plan, but a combination of failures would cause concern'.
- 6.11 In this case, the proposed residential studio unit has sufficient floorspace and would be appropriately arranged with a single multifunctional space to enable it to be used as flexibly as possible. Together with the compliance with other residential standards in respect of light, outlook and private amenity space (discussed below), the proposal is considered to provide an acceptable internal and external residential environment for a studio flat, in line with the objectives of the above policies.
- 6.12 Furthermore, officers highlight that a similar application at Hazel House, Sulgrave Road (application ref. 2020/02012/FUL) was allowed on appeal by the Planning Inspectorate. In Paragraph 9 of that Appeal Decision (dated 14 June 2021), the Planning Inspector stated, in reference to that scheme providing a 2.3m finished floor to ceiling height rather than a 2.5m finished floor to ceiling height, that 'while the floor to ceiling height would be 20cm lower than the minimum standard, the living accommodation would still feel spacious, light and airy to its occupiers. As such, I am unable to share the concerns of the Council and several objectors that the proposed accommodation would feel cramped or too confined'. Subsequently, the Planning Committee also resolved to grant planning permission for an identical scheme at Burnham House (ref. 2024/00254/FUL) under the 04.03.2025 Planning Committee. On this basis, withholding planning permission on the failure to meet the 2.5m finished floor to ceiling height alone would not be considered justifiable.

+ Light, outlook and privacy

6.13 Policy HO4 of the Local Plan (2018) specifies that new housing should provide a high-quality residential environment and be well designed internally and externally. Policy HO11 of the Local Plan (2018) specifies that the Council will ensure that the design and quality of all new housing, including new build, conversions and change of use, is of a high standard that meets the needs of future occupants. Outlook and light will be important considerations in relation to this.

6.14 The levels of light and outlook the proposed studio would receive is considered acceptable. Whilst single aspect, the studio fenestration would be at roof level, facing east and covering a large proportion of the rear elevation of the roof extension. In terms of privacy, no properties are located to the rear of Burnham House to overlook the proposed studio (as the rear elevation faces onto railway lines). The proposed roof terrace would be enclosed by 1700mm obscure glazed screens to the sides which would prevent overlooking of the private space from neighbouring properties.

+ External amenity space

6.15 Policy D6 of the London Plan (2021) outlines that where there are no higher local standards in the borough development plan documents, a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings, and an extra 1sqm should be provided for each additional occupant. Key Principle HS1 of the Planning Guidance SPD (2018) specifies that all new dwellings should have access to an area of amenity space, appropriate to the type of housing being provided.

6.16 The proposed development would involve the removal of part of the pitched roof of the back addition to form a roof terrace enclosed by 1700mm high obscure glazed screens to the sides. The roof terrace would be accessible to the flat through French doors to the rear elevation of the rear roof extension. The proposed roof terrace (9.6sqm, as measured on the proposed floor plan) would be in excess of the minimum 5sqm requirement specified by Policy D6 of the London Plan (2021). As such, it is considered that the proposed development would provide sufficient external amenity space for future occupants of the proposed residential unit. The use of the roof terrace and the impact on residential amenity is considered later in the report.

+ Noise

6.17 Policy CC11 (b) of the Local Plan (2018) specifies that housing, schools, nurseries, hospitals and other noise sensitive development will not normally be permitted where the occupants/users would be affected adversely by noise, both internally and externally, from existing or proposed noise generating uses.

6.18 The Council's Environmental Protection team have reviewed the proposal, and they have highlighted that due to the proximity of the application site to the Hammersmith and City Tube line to the rear of the site, a pre-commencement condition relating to a noise assessment (including reflected and re-radiated noise) would be considered necessary to ensure that future occupants of the proposed residential unit. The applicant has agreed to the imposition of this condition in writing, and accordingly officers are satisfied that the proposal could mitigate

against future occupants from being exposed to harmful levels of noise and disturbance, in accordance with Policy CC11 of the Local Plan (2018).

- 6.19 Officers note that the proposal's potential impact on the levels of noise and disturbance neighbouring occupants would be exposed to will be assessed in the 'impact upon neighbouring amenity' section of this committee report.

DESIGN AND HERITAGE

- 6.20 Paragraphs 135 and 139 of the National Planning Policy Framework (NPPF, 2024) 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 that is not well designed.
- 6.21 Paragraph 212 of the NPPF (2024) specifies 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. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 215 of the NPPF (2024) sets out that where a development 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.
- 6.22 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. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.
- 6.23 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.
- 6.24 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that: 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'
- 6.25 The application site is situated within the Melrose conservation area, and the site does not contain a Listed Building or a locally listed Building of Merit. The significance of the Melrose conservation area, is largely owing to its rapid development and evolution during the late 1800s to form a series of residential terraces. Paragraph 6.9 of the Melrose conservation area character profile (CACP)

outlines that the design of any rear roof extension should be sympathetic to the character of the conservation area. Where they are visible from the street, including long views, then particular attention will need to be paid to their appearance.

- 6.26 Rear main roof extensions are a common and established form of development to this type of property not only within this terrace, but also within the Melrose conservation area and the wider borough. The proposal would increase the ridge height of the main roof by 300mm, and introduce a mansard style roof, with a flat roofed element and rear roof slope of 70 degrees. The extension would also introduce a centralised flat roofed element incorporating windows and a door providing access to a rear roof terrace. This would be consistent with rear roof extensions approved and built within the subject terrace at Irene House (Ref.2014/02692/FUL), Eric House (Ref.2015/04272/FUL), Percy House (Ref.2015/00344/FUL) and Holkham House (Ref.2017/03247/FUL), as well as with the rear roof extension recently allowed on appeal at Hazel House (Ref. 2020/02012/FUL) and that subsequently granted planning permissions at Holme House (Ref: 2021/03992/FUL) and Myrtle House (Ref. 2022/00833/FUL). On this basis the proposed roof extension would be in-keeping with the character and appearance of the application building and the subject terrace.
- 6.27 The proposed roof terrace, on top of the back addition, would be limited in area to 9.6sqm (as measured via the submitted drawings) and would be similar in appearance, to terraces/ glazed screens which already exist in the terrace at Percy House, Eric House and Holkham House, as well as to the terraces recently allowed at Hazel House, Holme House and Myrtle House (references quoted above).
- 6.28 Given the limited extent of visibility of the proposals, and limited impact upon the street environment of Sulgrave Road; coupled with the established principle of such development within this terrace, the development is not considered to result in any harm to the conservation area. The proposals would preserve the character and appearance of the property, the subject terrace and the Melrose Conservation Area. The proposed development would also not have any adverse impacts upon the setting of Hammersmith Grove conservation area to the west of the site, as the rear elevation and roofscape of the application property is not prominent or visible in extensive views within the adjacent conservation area.
- 6.29 In view of the above, the design and appearance of the proposals at roof level are considered acceptable. The proposals are in keeping with character and appearance of the subject building and the terrace of which it forms a part of, and would not harm the character or significance of the Melrose conservation area, or the setting of the Hammersmith Grove conservation area. Materials are secured by a condition.
- 6.30 Furthermore, officers highlight that a similar application at Hazel House, Sulgrave Road (application ref. 2020/02012/FUL) was allowed on appeal by the Planning Inspectorate. In Paragraph 19 of that Appeal Decision (dated 14 June 2021), the Planning Inspector stated, with regard to the design of the proposal and its impact upon the character and appearance of the Melrose Conservation Area, that 'To my mind, the proposal would not necessarily manifest itself significantly differently than the existing residential use of Hazel House insofar as the character and

appearance of the local area is concerned. The proposed roof alterations are modest in scale and acceptable in visual terms, and also in keeping with the character and appearance of the host property. As such, Hazel House and the terrace of which it forms part would continue to add to the significance of the CA as a heritage asset. Consequently, the character and appearance of the CA would be preserved'. Officers also highlight that the Planning Committee resolved to grant planning permission for an identical scheme at Burnham House (ref. 2024/00254/FUL) at the 04.03.2025 Planning Committee.

- 6.31 Officers have assessed the impact of the proposal on the heritage assets and consider that it is compliant with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal is also in line with national guidance in the NPPF (2024) and strategic local policies on the historic environment and urban design.
- 6.32 The proposed development is also considered acceptable in accordance with Sections 12 and 16 of the NPPF (2024), Policy HC1 of the London Plan (2021) and Policies DC1, DC4 and DC8 of the Local Plan (2018).

IMPACT UPON NEIGHBOURING AMENITY

- 6.33 Policy HO11 of the Local Plan (2018) specifies that any proposal should ensure an acceptable impact upon the amenity of neighbouring residential occupants, especially with regard to outlook, privacy, daylight/sunlight and a sense of enclosure.
- 6.34 Key Principles HS6, HS7 and HS8 of the Planning Guidance SPD (2018) provide guidance on how proposals should mitigate against detrimental harm to the amenity of neighbouring occupants, in regard to a loss of outlook, privacy and noise levels.
- 6.35 In this case, the key considerations are the impact to the six existing flats within Suffolk House, and to the flats within the adjoining mansion blocks of Royston House and Norfolk House. No residential properties would be located to the rear of the proposed development.

+ Daylight and sunlight

- 6.36 The proposed development would not result in undue harm to daylight/sunlight levels. Notably, the bulk of the proposed development would be contained within the main roof of the parent building, and the proposed terrace screening would consist of obscured glass, which would still allow light through to neighbouring properties. Overall, the proposal would not be considered detrimental to the amenity of neighbouring occupants, with regard to outlook, light and a sense of enclosure.

+ Outlook

- 6.37 The proposed development would not result in undue harm to outlook. No residential properties would be located directly to the rear of the proposed development, with the Hammersmith and City Tube line beyond the rear boundary

of the application site. Furthermore, because the bulk of the rear roof extension would be contained to the main rear roof slope of the parent building and would not extend over the existing back addition, this element of the proposal would not be visible from the existing windows serving the existing six residential units within Suffolk House, and would not result in detrimental harm to the amenity of neighbouring occupants when viewed from the back addition windows serving Royston House and Norfolk House.

- 6.38 The proposed screens on top of the back addition, serving the terrace, would be no higher than the existing ridge height of the back addition, would have a modest projection, and would be set back by over 1m from either side elevation. Together with the lightweight and largely transparent material, it is not considered the screens would cause undue harm to outlook to the windows contained within the main building and back additions of both Holkham House and Irene House either side of the subject building, in accordance with Key Principle HS7 of the Planning Guidance SPD (2018).

+ Privacy

- 6.39 Key Principle HS7 (iii) of the Planning Guidance SPD (2018) specifies that any new windows should be positioned at least 18m away from existing habitable room windows, 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.
- 6.40 The proposed development would not result in undue harm. The newly created fenestration would face the railway line to the rear of the site. The proposed terrace would be enclosed by 1.7m high obscure glazed privacy screens to the sides and as such no views would be afforded into the windows of the properties located either side of the subject building (Royston House and Norfolk House). The glazing specification is secured by a condition.

+ Noise

- 6.41 Policy D14 of the London Plan (2021) outlines that in order to reduce, manage and mitigate noise, residential and other non-aviation development proposals should manage noise by, amongst other measures, mitigating and minimising the existing and potential adverse impacts of new development.
- 6.42 Policies CC11 and CC13 of the Local Plan (2018) specify that all proposed development will be required to demonstrate that there will be no undue detriment to the general amenities enjoyed by existing surrounding occupiers as a result of nuisances (including noise).
- 6.43 Key Principle NN3 of the Planning Guidance SPD (2018) states that in the design of new residential dwellings (including change of use and conversions), careful consideration should be given to stacking and layout of rooms in relation to adjoining walls, floors and ceilings. To ensure the amenity of occupiers is not adversely affected by noise, the council expects all parts of adjoining dwellings to enhance the sound insulation, including where the adjoining room is of a similar use.

- 6.44 The proposed residential studio unit would sit above the existing habitable rooms of Flats 5 and 6, which occupy the second-floor level of Suffolk House. There is therefore potential for noise transmission between both the new and the existing flats.
- 6.45 Officers highlight that planning permission was refused at Hazel House (Ref. 2020/02012/FUL) for a similar scheme on grounds relating to noise transmission, however this was not supported by the Inspector during the subsequent appeal. In determining the appeal, the Inspector considered the supporting acoustic report and concluded in Paragraph 16 that 'with a suitable condition in place to secure appropriate insulation, as proposed, I conclude that the proposal would not materially harm the living conditions of existing or future occupiers with regard to noise, vibration or general disturbance'.
- 6.46 Separately, as part of the Hazel House Appeal, the Inspector acknowledged that there would be some additional activity associated with an extra resident, such as the general coming and going of people and their visitors to the property. However, the Inspector stated in Paragraph 15 of the Appeal decision that, 'there is no convincing evidence that the additional noise and general disturbance associated with these movements would be so great as to materially harm the living conditions of others'.
- 6.47 The Council's Environmental Protection team have been consulted on the current planning application, and following review, have confirmed that the proposed sound insulation would be compliant with the relevant Building Regulation standards. They therefore raise no objection to the sound insulation specification (Ref. 0901241NR, REV 0.0, dated 31.01.2024) prepared by Peak Acoustics Ltd, subject to a compliance condition being attached to ensure that this is installed prior to occupation of the proposed residential unit.
- 6.48 Key Principle HS8 of the Planning Guidance SPD (2018) specifies that planning permission will not be granted for roof terraces or balconies if the use of the terrace or balcony is likely to cause harm to the existing amenities of neighbouring occupiers by reason of noise and disturbance. Supporting Paragraph 3.16 of the Planning Guidance SPD (2018) specifies that the Council may seek for balconies and terraces to be no bigger than 15sqm to reduce noise and disturbance to neighbours.
- 6.49 The proposed terrace would not exceed the typical guidance on terrace sizes contained within Key Principle HS8 of the Planning Guidance SPD (2018), and accordingly, would be considered to limit the number of people who could occupy the terrace at any one time. This is considered sufficient to prevent neighbouring occupants from being exposed to harmful levels of noise associated with usage of the terrace.
- 6.50 Overall, for the reasons outlined above, the proposal would be considered to mitigate against detrimental harm to the amenity of neighbouring occupants with regard to outlook, light, privacy and noise, consistent with Policy D14 of the London Plan (2021), Policies CC11, CC13 and HO11 of the Local Plan (2018) and Key Principles HS6, HS7, HS8 and NN3 of the Planning Guidance SPD (2018).

HIGHWAYS/PARKING AND REFUSE/RECYCLING

+ Highways/parking

6.51 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

6.52 Policy T6 (B) of the London Plan (2021) specifies that car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport.

6.53 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.

6.54 Using Transport for London's methodology, the application site has a PTAL 6a rating, indicating excellent public transport accessibility levels. Accordingly, to be compliant with Policy T6 of the London Plan (2021), Policy T4 of the Local Plan (2018) and to prevent an increase in parking stress within surrounding streets, as well as to reduce the impact on air quality which additional car generation would otherwise create, it should be ensured that the proposed residential unit is car parking permit free. The Council's chosen method to ensure car parking permit free development is via a Legal Agreement, and the applicant has confirmed in writing that they are willing to agree a Legal Agreement to secure the proposed residential unit as car free development. Subject to this, officers are satisfied that the proposal would mitigate against harmfully exacerbating any existing levels of parking stress and congestion within the locality, or from impacting on air quality levels. This is considered to be in accordance with Policy T6 of the London Plan (2021) and Policies T4 and CC10 of the Local Plan (2018).

6.55 The current application proposes to locate the cycle storage internally, utilising the under stair communal cupboard in the hallway. Comments received from residents' question whether a bicycle can fit in the space and suggest the storage of the bicycle would obstruct access to the building's meters located inside. Officers highlight that the same internal cycle storage location was proposed as part of planning application ref. 2015/05734/FUL, and whilst that was not deemed acceptable by the Council, this was not supported by the Planning Inspector in determining that appeal (Appeal Decision dated 27.01.2017). The Planning Inspector was satisfied that the use of the space under the stairs for cycle storage was an acceptable solution and accordingly did not uphold that particular reason for refusal.

6.56 Officers note that the proposed cycle storage would provide secure and weather-proof storage and that a similar arrangement was also allowed under the previous

appeal at Hazel House (Ref. 2020/02012/FUL), and under Ref. 2022/00833/FUL at Myrtle House. Furthermore, an identical cycle storage arrangement was proposed at Burnham House (Ref. 2024/00254/FUL), which Planning Committee resolved to grant planning permission on 04.03.2025. Accordingly, officers raise no objection to this element of the proposal, which is considered to be consistent with Policy T5 of the London Plan (2021).

+ Refuse/recycling

6.57 Policy CC7 of the Local Plan (2018) specifies that all developments should aim to minimise waste and should provide convenient refuse and recycling storage facilities.

6.58 The existing ground-floor plan demonstrates that the existing bin storage is located within the front garden of Royston House, and this was confirmed during the officer site visit. Annotations on the proposed ground-floor plan specify that one additional bin would be provided for the proposed residential studio unit, and that this would be stored in a similar location to the existing bins. Officers consider that this arrangement would ensure adequate provision for bin storage for future occupants of the proposed residential unit. Accordingly, officers are satisfied that the proposal would be compliant with Policy CC7 of the Local Plan (2018).

FLOOD RISK

6.59 The application site lies within the Environment Agency's Flood Risk Zones 2 and 3, and accordingly a flood risk assessment (FRA) would typically be required by Policy CC3 of the Local Plan (2018). Whilst acknowledged that a FRA has not been submitted as part of this application, officers recognise that the proposal relates to the erection of a rear roof extension to accommodate a residential studio unit. Accordingly, the siting of the proposal is considered sufficient to mitigate against harmfully exacerbating the application site's flood risk.

AIR QUALITY

6.60 NPPF (2024) Paragraph 199 relates to air quality, and states planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan. The councils Air Quality Action Plan 2025-2030 was approved and adopted by the council on the 16th of December 2024.

6.61 The development site is within the borough wide Air Quality Management Area (AQMA) and in an area of existing poor air quality due to the road traffic emissions from Shepherds Bush Road (A219) and Goldhawk Road (A402).

6.62 The Council's Air Quality team have reviewed the application and recommended conditions 6, 7 and 8 to secure details of air quality mitigations to ensure the development is in accordance with Local Plan Policies CC1 and CC10, London Plan Policy SI 1, and the councils Air Quality Action Plan.

FIRE SAFETY AND ACCESSIBILITY

- 6.63 London Plan Policies D5, D7 and Local Plan Policies HO6, DC1, DC4 and HO11 require development proposals to achieve the highest standards of accessible and inclusive design. London Plan Policy D5 part 4) states development should be able to be entered, used and exited safely, easily and with dignity for all.
- 6.64 In the interests of fire safety and to ensure the safety of all building users, Policy D12 of the London Plan (2021) states that 'all development proposals must achieve the highest standards of fire safety'. Part A of Policy D12 specifies that proposals should ensure that they:
- 1) Identify suitably positioned unobstructed outside space:
 - a) for fire appliances to be positioned on
 - b) appropriate for use as an evacuation assembly point
 - 2) Are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures
 - 3) Are constructed in an appropriate way to minimise the risk of fire spread
 - 4) Provide suitable and convenient means of escape, and associated evacuation strategy for all building users
 - 5) Develop a robust strategy for evacuation which can be periodically updated and published, and which all building users can have confidence in
 - 6) Provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.
- 6.65 As required by Policy D12 of the London Plan (2021), a fire strategy statement (dated 01.02.2024) has been submitted as part of this proposal. This outlines how consideration has been given to Part A, criteria 1 - 6 of Policy D12. Officers do also highlight that 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'.
- 6.66 The proposal has been reviewed by the Council's Building Control Fire Safety & Means of Escape Officer. Their comments confirm that because the proposal seeks to add an additional floor to the building, there is a requirement to improve the means of escape to meet current Building Control standards; which is the reason for the proposed installation of fire doors and glazed screens to create internal fire lobbies. The creation of internal fire lobbies is considered to be a significant improvement to the means of escape for existing and future occupants, and the use of glazed doors is not a concern as long as these meet the required fire-resisting standards. Glazed screens would also have the added benefit of allowing a greater proportion of natural light into the internal landings and staircases. While it is acknowledged that the fire doors will add a further obstruction for residents when evacuating the building, they are an important means to resist fire spreading throughout the building, and as such on balance are considered an overall benefit to the occupiers of the building. Although the depth of the lobby is reduced this still meets the building regulation standards and the width of the lobby remains as existing.

- 6.67 In respect of how an elderly person or somebody with impaired mobility may navigate the new fire doors, the finer details on the doors would be agreed under the building regulations and not planning. Nonetheless, the Council's Building Control Fire Safety & Means of Escape Officer is satisfied that the residents will be able to evacuate their properties appropriately and without significant hindrance.
- 6.68 The Council's Building Control Fire Safety & Means of Escape Officer has confirmed that all works, materials and installations would be examined during the building control process, and that as part of this, a consultation with the fire service would also be undertaken seeking their observations.
- 6.69 On this basis the proposals would ensure an accessible environment for existing and future occupiers; and in terms of fire risk the details provide are acceptable for the purposes of planning.

BIODIVERSITY NET GAIN

- 6.70 Biodiversity Net Gain (BNG) became mandatory for major development proposals from 12th February 2024 and for minor development proposals from 2nd April 2024.
- 6.71 Officers highlight that the current planning application would be considered a minor development, and that the application was received on 06.02.2024 and validated on 12.02.2024. Accordingly, by reason of the application date preceding the introduction of BNG, the development would be exempt from BNG.

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 the net-gain of one self-contained residential studio unit of satisfactory standard, contributing towards the borough's housing supply targets. Furthermore, the scale, massing, design and material finishes would ensure a high standard of design which would preserve the character and appearance of the surrounding area and designated heritage assets, whilst mitigating against detrimental harm to the amenity of surrounding occupants. Highway impacts would be mitigated via a Legal Agreement (Unilateral Undertaking) to secure car permit free development.
- 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.

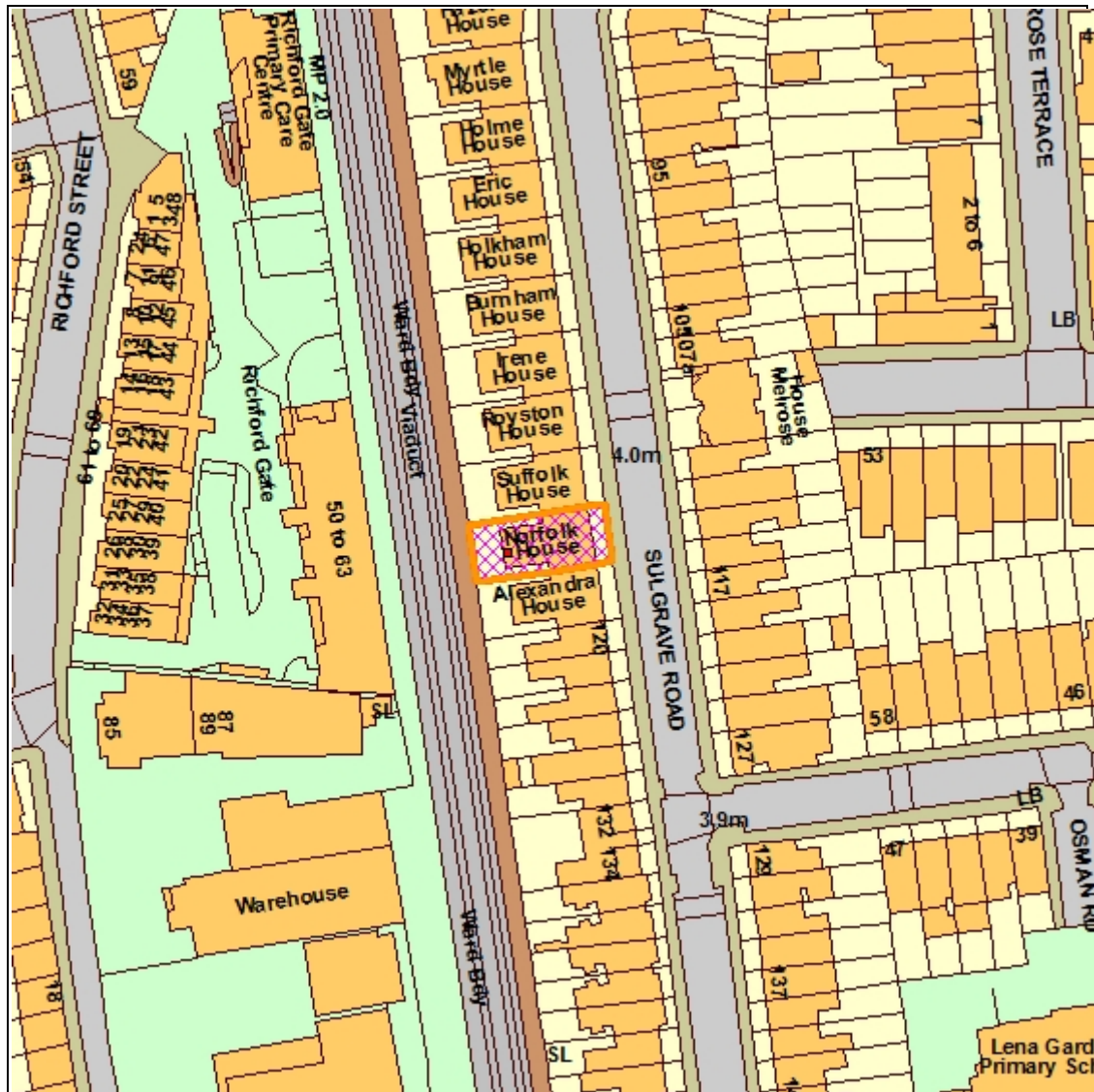
8.0 RECOMMENDATION

8.1 Grant permission, subject to conditions and a unilateral undertaking.

Ward: Addison

Site Address:

Norfolk House Sulgrave Road London W6 7QT



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For identification purposes only - do not scale.

Reg. No:

2023/01255/FUL

Case Officer:

Elliot Brown

Date Valid:

23.05.2023

Conservation Area:

Constraint Name: Melrose Conservation Area -
Number 26

Committee Date:

08.07.2025

Applicant:

Spiritframe Ltd

12 Blacks Road Hammersmith London W6 9EU

Description:

Erection of a rear roof extension involving an increase in the ridge height by 300mm in connection with the creation a new self-contained studio flat; alterations to part of the roof of the back addition to incorporate a flat roof and the erection of privacy screens around the resultant flat roof at third floor level to the rear elevation in connection with its use as a terrace; installation of 2no rooflights in the rear roofslope.

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 conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.

Conditions:

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

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

- 2) The development hereby permitted shall be carried out in complete accordance with the approved plans and drawings listed in this decision notice, other than where those details are altered pursuant to the conditions of this planning permission:

2534-P01 REV A (dated 22.05.2023); 2534-P02 REV C (dated 10.10.2023, received 21.11.2023); 2534-P03 REV A (dated 22.05.2023); 2534-P04 REV A (dated 22.05.2023); Sound Insulation Specification (Ref. TB0205233SI, REV 0.0, dated 16.05.2023 & received 26.09.2023) prepared by PEAK Acoustics; Tree

Protection Statement (received 09.08.2023).

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

- 3) The development hereby approved shall be carried out and completed in accordance with the materials details (including colour and finish) specified below:
- External finish to rear roof extension: Natural grey slate tiles.
 - The party/flank walls of the rear roof extension: Constructed from brick to match the existing building in terms of colour, range, texture and pointing.
 - Rear dormer projection: Clad in lead.
 - Terrace Screening: Obscure-glass with a minimum obscurity equivalent to Pilkington Texture Glass Level 3.

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) The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground), have been submitted to and approved in writing by the local planning authority which:
- Provide construction details on the rear roof extension;
 - Provide details on the use of tall plant, scaffolding and lifting equipment;
 - Accommodate the location of the existing London Underground structures - the property is adjacent to the open section of TfL's operational railway. To ensure safety of TfL's railway from debris falling during construction or things being thrown post construction, any opening windows, balconies or terraces facing the railway elevation will require prior approval from LU Engineers and mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with the London Plan 2021, draft London

- 5) Prior to occupation of the development hereby approved, details (including manufacturer specification, installation/commissioning certificates, gas supply/meter site clear certificate, and photographic confirmation) of the installed Air Source Heat Pump (ASHP), Heat Battery Boiler, Electric Boiler or alternative electrical only heating systems to be provided for space heating and hot water for the self-contained dwellinghouse (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 safeguard local air quality in the councils boroughwide air quality management area, in accordance with Policies CC1 and CC10 of the Local Plan (2018) and the councils Air Quality Action Plan.

- 6) The terrace hereby approved shall not be first used until the privacy screening has been installed as shown on approved drawing nos. 2534-P01 REV A (dated 22.05.2023), 2534-P02 REV C (dated 10.10.2023, received 21.11.2023), 2534-P03 REV A (dated 22.05.2023) and 2534-P04 REV A (dated 22.05.2023). The privacy screening shall achieve a minimum level of obscurity equivalent to Pilkington Texture Glass Level 3 and shall have a height of 1.7m above the finished floor level of the terrace along the flank elevations of the terrace hereby approved. The privacy screening to the rear elevation of the terrace shall have a height of 1.7m above the finished floor level of the terrace hereby approved. The privacy screening shall thereafter be permanently retained as approved.

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

- 7) Other than the area shown as a terrace on the approved plans no part of the remainder of the roof atop of the existing back addition or atop the rear roof extension hereby approved 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).

- 8) The refuse, recycling and bicycle storage shall be installed in accordance with the details on approved drawing Nos. 2534-P01 REV A (dated 22.05.2023) and 2534-P02 REV C (dated 10.10.2023, received 21.11.2023) prior to occupation of the self-contained residential unit hereby approved. The refuse, recycling and bicycle

storage shall thereafter be permanently maintained for the lifetime of the development.

To ensure a satisfactory provision of refuse, recycling and bicycle storage, in accordance with Policy T5 of the London Plan (2021) and Policy CC7 of the Local Plan (2018).

- 9) In line with achieving 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/external terrace areas ($L_{nT,w}$) separating different types of rooms/ uses in adjoining dwellings, the specifications and recommendations within the Sound Insulation Specification (Ref. TB0205233SI, REV 0.0, dated 16.05.2023 and received 26.09.2023) prepared by Peak Acoustics shall be fully implemented prior to occupation of the development hereby approved and thereafter be permanently retained as such.

To ensure that the amenity of occupiers of the development site is not adversely affected by noise, in accordance with Policy D14 of the London Plan (2021) and Policies CC11 and CC13 of the Local Plan (2018).

- 10) The development hereby approved shall be carried out in accordance with the tree protection measures specified within the approved Tree Protection Statement (received 09.08.2023) and in accordance with British Standard BS3998:2010. The temporary tree protection fencing shall be erected in accordance with the approved Tree Protection Statement (received 09.08.2023) prior to the commencement of construction works, and shall be retained for the duration of the construction works, after which it shall be removed.

To preserve the health and visual amenity of the existing trees, in accordance with Policies DC8 and OS5 of the Local Plan (2018).

- 11) The rear roof lights hereby approved shall be conservation style roof lights and thereafter permanently retained in this form.

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

- 12) No water tanks or water tank enclosures shall be erected upon the remainder of the roof atop of the existing back addition or atop the roof of the rear roof extension hereby permitted.

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

- 13) Prior to occupation of the development hereby permitted, details (including manufacturer specification, installation/commissioning certificates, gas

supply/meter site clear certificate, and photographic confirmation) of the installed electric induction cooking appliance in the kitchen of the self-contained dwellinghouse (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 Policy CC10 of the Local Plan (2018) and the councils Air Quality Action Plan.

- 14) Prior to occupation of the development hereby permitted, details (including manufacturer specification, installation/commissioning certificates and photographic confirmation) of the installed Waste Water Heat Recovery System (WWHRS) for the self-contained dwellinghouse (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 increase energy efficiency in domestic buildings and to safeguard local air quality in the councils boroughwide air quality management area, in accordance with Local Plan Policies CC1 and CC10 and the councils Air Quality Action Plan.

- 15) Prior to commencement of the development, a noise assessment shall be submitted to the Council for approval of external noise levels, including 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 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.

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).

Justification for Approving the Application:

- 1) The proposal would result in the net-gain of one residential unit, contributing towards the Borough's housing targets, whilst ensuring a satisfactory standard of accommodation for future occupants. Furthermore, the proposed alterations to the parent building would be of an acceptable appearance and would preserve the character and appearance of the Melrose Conservation Area and the nearby Hammersmith Grove Conservation Area. The proposal would mitigate against unduly detrimental harm to the amenity of neighbouring occupants, as well as

trees, highways/parking and flood risk. In these respects, the proposal would be compliant with Sections 5, 12 and 16 of the National Planning Policy Framework (2023), Policies D6, D12, D14, H1, HC1 and T5 of the London Plan (2021), Policies CC3, CC7, CC10, CC11, CC13, DC1, DC4, DC8, HO1, HO4, HO11, OS5, T1, T3 and T4 of the Local Plan (2018) and Key Principles CAG3, HS6, HS7, HS8 and NN3 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: 16th May 2023
Drawing Nos: see above

Policy documents: National Planning Policy Framework (NPPF) 2024
The London Plan 2021
LBHF - Local Plan 2018
LBHF – Planning Guidance Supplementary Planning Document
2018

Consultation Comments:

Comments from:	Dated:
Transport For London - Land Use Planning Team	07.06.23
London Underground Limited	05.06.23
Thames Water - Development Control	25.05.23
Crime Prevention Design Advisor - Hammersmith	31.05.23

Neighbour Comments:

Letters from:	Dated:
LRJ Planning, Pen-y-Rhiw Redbrook Road NP20 5AB	12.06.23
3 Norfolk House Sulgrave Road London W6 7QT	18.06.23
3 Norfolk House Sulgrave Road London W6 7QT	18.06.23

COMMITTEE REPORT

1.0 SITE DESCRIPTION

- 1.1 On the eastern side of Sulgrave Road is a row of twelve three-storey, double bay fronted, Victorian residential buildings. The names of these twelve buildings going from south to north are as follows: Alexandra House, Norfolk House, Suffolk House, Royston House, Irene House, Burnham House, Holkham House, Eric House, Holme House, Myrtle House, Hazel House and Percy House. The properties are all purpose built as flats.
- 1.2 The current application relates specifically to Norfolk House, which accommodates a total of six flats, two per floor. Norfolk House is not a Listed Building or a locally listed Building of Merit, although it is situated within the Melrose Conservation Area.
- 1.3 The application site lies within the Environment Agency's Flood Risk Zones 2 and 3.
- 1.4 The application site has a Public Transport Accessibility Level (PTAL) of 6a (excellent).

2.0 RELEVANT PLANNING HISTORY

- 2.1 Officers highlight that there is extensive planning history for the buildings referred to in paragraph 1.1 of this delegated report, as outlined below.

2007/00434/FUL - Erection of a rear roof extension on each building (Percy House / Hazel House / Myrtle House / Holme House / Eric House / Holkham House / Burnham House / Irene House / Royston House / Suffolk House / Norfolk House), including an increase in the existing ridge height in each case by up to a maximum of 300mm. The application was granted planning permission on 10.04.2007.

2015/05734/FUL - Erection of rear roof extensions, erection of rear extensions at third floor level over part of the existing back additions in connection with the creation of self-contained studio flats and the formation of roof terraces at third floor level on top of each property: Hazel House, Myrtle House, Holme House, Holkham House, Burnham House, Royston House, Suffolk House and Norfolk House. The application was refused planning permission on 18.07.2016, for the following reasons:

- 1) Excessive density/over development; 2) Inadequate cycle and refuse storage; 3) Unneighbourly development; 4) Visual amenity; 5) noise disturbance resulting from the high-level roof terraces; and 6) Absence of sustainable drainage and impact on flooding.

The subsequent appeal (appeal ref. APP/H5390/W/16/3160276) was dismissed on 27.01.2017 solely on grounds of design and character and appearance (Reason for refusal 4). All other reasons for refusal were not upheld by the Planning Inspector.

2.2 In addition to the joint planning history above, there is also planning history relating to individual buildings, as outlined below.

+ Irene House

2014/02692/FUL - Erection of a rear roof extension, involving an increase in the ridge height by 300mm; installation of two rooflights in the front roofslope. The application was granted planning permission on 04.08.2014.

+ Percy House

2015/00344/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm including the raising of the party walls and chimney stack and formation of a roof terrace (Amendments to previously approved planning permission ref: 2013/01607/FUL). The application was granted planning permission on 25.06.2015.

+ Eric House

2015/04272/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm including the raising of the party walls and chimney stack and formation of a roof terrace (Amendments to previously approved planning permission ref: 2013/01607/FUL). The application was granted planning permission on 25.06.2015.

+ Holkham House

2017/03247/FUL - Erection of a rear roof extension; erection of a rear extension at third floor level over part of the existing back addition; alterations to part of the roof of back addition to incorporate a flat roof and the erection of privacy screen around the flat roof at third floor level to the rear elevation in connection with its use as a terrace. The application was granted planning permission on 17.11.2017.

+ Hazel House

2018/01617/FUL: Erection of a rear roof extension involving an increase in the ridge height by 300mm, in connection with the formation of 1no. self-contained studio flat; removal of part of the pitched roof of the back addition at third floor level to form a roof terrace enclosed with a 1700mm high obscured glazed screen atop part of the back addition; installation of French doors to the rear elevation at third floor level in order to allow access to the proposed roof terrace. The application was refused planning permission on 14.09.2018, for the following reasons:

- 1) Insufficient quality of residential accommodation. Notably, the proposal failed to meet the minimum finished floor to ceiling height standards of the London Plan (2016) and the Nationally Described Space Standards (2015), and the internal stacking arrangement meant that the amenity of occupiers would be adversely

affected by noise and vibration.

2019/00670/FUL - Erection of a rear roof extension involving an increase in the ridge height by 393mm in connection with the creation of 1 x self-contained studio flat; alterations to part of the roof of back addition to incorporate a flat roof and the erection of privacy screen around the flat roof at third floor level to the rear elevation in connection with its use as a terrace. The application was refused planning permission on 01.05.2019, for the following reasons:

- 1) Visual amenity: excessive increase in ridge height (393mm) including a step, and an almost vertical rear roof slope (83 degrees) would be out of keeping with the prevailing pattern of development established throughout the terrace, and would harm the character and appearance of the Melrose Conservation Area; and
- 2) Substandard living environment: noise and vibration due to non-uniform room stacking.

The subsequent appeal (appeal ref. APP/H5390/W/19/3235745) was dismissed on 20.12.2019 solely on grounds of design and character and appearance.

2020/00806/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm in connection with the creation of a self-contained studio flat; alterations to the roof of back addition to incorporate a flat roof and the erection of privacy screen around the flat roof at third floor level to the rear elevation in connection with its use as a terrace. The application was refused planning permission on 02.07.2020, for the following reasons:

- 1) Visual amenity: steep rear roof slope (75 degrees) would be out of keeping with the prevailing pattern of development established throughout the terrace, and would harm the character and appearance of the Melrose Conservation Area;
- 2) Substandard living environment: failure to meet minimum floor space and floor to ceiling height standards; and
- 3) Inadequate cycle parking: located on land not within ownership of applicant.

2020/02012/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm in connection with the creation of a self-contained studio flat; alterations to the roof of back addition to incorporate a flat roof and the erection of privacy screen around the flat roof at third floor level to the rear elevation in connection with its use as a terrace. The application was refused planning permission on 13.11.2020, for the following reasons:

- 1) Substandard living environment: failure to meet minimum floor space and floor to ceiling height standards;
- 2) Impact to character of conservation area: intensification and overdevelopment of the site; and impact to residential amenity;
- 3) Inadequate cycle parking and refuse storage: cycle parking located in an area which the applicant does not have sole access to, and insufficient space to accommodate additional bins; and
- 4) Impact to residential amenity: noise and vibration due to non-uniform room

stacking and inadequate sound insulation.

The subsequent appeal (appeal ref. APP/H5390/W/20/3263632) was allowed on 14.06.2021.

+ Holme House

2021/03992/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm in connection with the creation a new self-contained studio flat; alterations to part of the roof of the back addition to incorporate a flat roof and the erection of privacy screens around the resultant flat roof at third floor level to the rear elevation in connection with its use as a terrace. The application was granted planning permission on 11.02.2022.

+ Myrtle House

2022/00833/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm in connection with the creation a new self-contained studio flat; alterations to part of the roof of the back addition to incorporate a flat roof and the erection of privacy screens around the resultant flat roof at third floor level to the rear elevation in connection with its use as a terrace. The application was granted planning permission on 07.07.2022.

+ Burnham House

2024/00254/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm, in connection with the creation a new self-contained studio flat; alterations to part of the roof of the back addition to incorporate a flat roof and the erection of 1.7m high obscure glazed privacy screening around the resultant flat roof at third floor level to the rear elevation, in connection with its use as a terrace. The application was resolved to be granted planning permission at Planning Committee on 04.03.2025.

3.0 PROPOSAL

3.1 The current application seeks planning permission for the erection of a rear roof extension involving an increase in the ridge height by 300mm in connection with the creation a new self-contained studio flat; alterations to part of the roof of the back addition to incorporate a flat roof and the erection of privacy screens around the resultant flat roof at third floor level to the rear elevation in connection with its use as a terrace; installation of 2no rooflights in the rear roofslope.

4.0 CONSULTATIONS

Neighbouring responses

4.1 29 surrounding properties were notified of the proposal via letter.

4.2 A site notice and a press notice were displayed/published.

4.3 Three representations have been received, which object to the proposal on the following grounds:

- The proposal will have a harmful impact upon the character, appearance and aesthetic of Norfolk House, as well as the Melrose Conservation Area. It is considered that the property does not have capacity for such substantial alterations, and the absence of a heritage impact assessment is concerning;
- The proposal will have a harmful impact upon the amenity of neighbouring occupants (including noise and disturbance from the proposed roof terrace, light pollution from lighting of the roof terrace and the additional fenestration at this level, and odour from cooking associated with the proposed residential unit/terrace area);
- Sulgrave Road is already very busy from a parking perspective, and so the proposal would harmfully exacerbate existing levels of parking stress within the immediate locality of the application site;
- The proposed location of cycle storage at ground-floor level is not considered to be suitable; one resident has already been refused permission to store their bicycle in this space due to health and safety concerns;
- The proposal would not result in biodiversity enhancements, and no ecological survey has been submitted as part of the current planning application;
- The proposal raises fire safety concerns, particularly with regard to insufficient fire escape measures for the site;
- There are concerns that the proposed studio unit could be used as short-term holiday/Air BnB letting;
- The proposal would be contrary to the original lease, which states that 'lessee's shall and may peaceably and quietly hold and enjoy the premises during the said term without any interruption by the lessors or any person claiming through, under or in trust for the lessors'; any building work would be in contravention to the leases;
- The proposal will expose neighbouring occupants to harmful levels of noise and disturbance associated with construction works, and the property would be visually ruined for the duration of works;
- Norfolk House is an old building and is already at capacity with regard to resident's strain on amenities/utilities. For example, there have been several issues with plumbing and pipe work in the building. The proposal will add further strain to this;
- The proposal is considered to set a harmful precedent for similar development in future;
- The proposal raises significant concerns regarding the structural stability/foundations of the parent building;

- The proposal should be refused, as has happened to previous applications;
- The proposal will have a negative impact upon property values for other flats within the building.

4.4 Officer response:

- The material planning considerations (including but not limited to visual amenity/impact upon heritage assets, neighbouring amenity and highways) raised will be assessed in the 'planning considerations' section of this delegated report;
- Issues relating to the wording of the original lease would not prevent the Council from issuing planning permission, however officers note that the applicant's compliance with the lease would be a civil matter for them to comply with;
- Concerns relating to the structural stability, foundations and matters such as sewerage of the building would fall under Building Regulations, rather than planning legislation. Accordingly, these concerns would fall outside the scope of planning;
- Officers are sympathetic to concerns relating to noise and disturbance associated with construction works. Nevertheless, these matters would fall under Environmental Health legislation, rather than planning legislation. Accordingly, these concerns would fall outside the scope of planning. Officers advise that any breaches of Environmental Health legislation can be reported to the Council's Environmental Health team to investigate;
- The proposal seeks to create one new self-contained residential unit, and no reference to short term holiday/Air BnB letting is indicated by the submitted documentation. The Council can only assess the proposal before them in this respect;
- A proposal's potential impact upon property prices is not a material planning consideration;
- Each planning application is assessed on its own individual merits.

External consultee responses:

4.5 Metropolitan Police (Design out Crime) - No comments/objection.

4.6 Thames Water - No comments/objections.

4.7 TfL Infrastructure Protection - No objection, subject to a pre-commencement condition relating to a detailed design and method statement (in consultation with London Underground).

4.8 TfL Spatial Planning - No objection.

4.9 Officer response:

- The applicant has agreed in writing to the imposition of the requested pre-commencement condition from TfL.

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 2024)

- 5.4 The National Planning Policy Framework (NPPF) came into effect on 27 March 2012 and was revised in 2024 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.

London Plan

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6.0 PLANNING CONSIDERATIONS

- 6.1 Officers consider that the proposal raises the following material planning considerations:

- Principle of land use and housing supply;
- Quality of the proposed residential accommodation;
- Design and heritage;
- Impact upon neighbouring amenity;
- Highways/parking and refuse/recycling;
- Flood risk;
- Air quality;
- Fire safety;
- Biodiversity Net Gain;
- Trees.

PRINCIPLE OF LAND USE AND HOUSING SUPPLY

- 6.2 Norfolk House currently contains six self-contained residential units. The proposal would result in the net-gain of one residential unit, and accordingly, would be compatible with the existing land use.
- 6.3 The provision of housing is a significant issue, with paragraph 60 of the National Planning Policy Framework (NPPF, 2024) 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.

- 6.4 The proposal would result in the net-gain of one self-contained dwelling, which would contribute towards the Borough's housing supply targets. Accordingly, the provision of residential accommodation would be considered acceptable in principle, consistent with Paragraph 60 of the NPPF (2024), Policy H1, Table 4.1 of the London Plan (2021) and Policy HO1 of the Local Plan (2018)

QUALITY OF THE PROPOSED RESIDENTIAL ACCOMMODATION

- 6.5 Policy D6 of the London Plan (2021) places a significant focus on internal space standards for dwellings, and seeks to ensure that all new housing are of a high quality design and provide adequately sized rooms with comfortable and functional layouts which are fit for purpose and offer the potential to be occupied over time by households of all tenures.
- 6.6 The Nationally Described Space Standards (NDSS) is also relevant with regard to internal space standards.
- 6.7 Policies HO4 and HO11 of the Local Plan (2018) requires all housing to provide a high-quality residential environment and be well designed internally and externally.

+ Internal space standards (unit size and finished floor to ceiling height)

- 6.8 The proposal would involve the creation of new residential floorspace, and accordingly officers consider that the proposed residential unit should be assessed against the unit sizes outlined within Policy D6 of the London Plan (2021) and the NDSS (2015).
- 6.9 The proposed residential unit would be in the form of a 1-person open plan studio unit. Policy D6 of the London Plan (2021) and the NDSS (2015) requires a 1-person residential unit to have a minimum gross internal area (GIA) of 37sqm, including at least 1sqm of built-in storage space. Furthermore, the NDSS (2015) requires a minimum finished floor to ceiling height of 2.3m for at least 75% of the GIA of the proposed residential unit. To address the unique heat island effect of London and the distinct density and flatted nature of most of its residential development, Policy D6 of the London Plan (2021) requires a minimum finished floor to ceiling height of 2.5m for at least 75% of the GIA of the proposed residential unit.
- 6.10 As specified within the 'existing and proposed uses' section of the submitted application form and as measured on the submitted floor plans, the proposed residential unit would measure 37sqm, including 1sqm of built-in storage space. Whilst officers acknowledge that the 2.3m finished floor to ceiling height does not meet the 2.5m requirement of Policy D6 of the London Plan (2021), the Mayor's Housing Supplementary Planning Guidance does state that 'failure to meet one

standard would not necessarily lead to an issue of compliance with the London Plan, but a combination of failures would cause concern'.

- 6.11 In this case, the proposed residential studio unit has sufficient floorspace and would be appropriately arranged with a single multifunctional space to enable it to be used as flexibly as possible. Together with the compliance with other residential standards in respect of light, outlook and private amenity space (discussed below), the proposal is considered to provide an acceptable internal and external residential environment for a studio flat, in line with the objectives of the above policies.
- 6.12 Furthermore, officers highlight that a similar application at Hazel House, Sulgrave Road (application ref. 2020/02012/FUL) was allowed on appeal by the Planning Inspectorate. In Paragraph 9 of that Appeal Decision (dated 14 June 2021), the Planning Inspector stated, in reference to that scheme providing a 2.3m finished floor to ceiling height rather than a 2.5m finished floor to ceiling height, that 'while the floor to ceiling height would be 20cm lower than the minimum standard, the living accommodation would still feel spacious, light and airy to its occupiers. As such, I am unable to share the concerns of the Council and several objectors that the proposed accommodation would feel cramped or too confined'. Subsequently, the Planning Committee also resolved to grant planning permission for an identical scheme at Burnham House (ref. 2024/00254/FUL) under the 04.03.2025 Planning Committee. On this basis, withholding planning permission on the failure to meet the 2.5m finished floor to ceiling height alone would not be considered justifiable.

+ Light, outlook and privacy

- 6.13 Policy HO4 of the Local Plan (2018) specifies that new housing should provide a high-quality residential environment and be well designed internally and externally. Policy HO11 of the Local Plan (2018) specifies that the Council will ensure that the design and quality of all new housing, including new build, conversions and change of use, is of a high standard that meets the needs of future occupants. Outlook and light will be important considerations in relation to this.
- 6.14 The levels of light and outlook the proposed studio would receive is considered acceptable. Whilst single aspect, the studio fenestration would be at roof level, facing east and covering a large proportion of the rear elevation of the roof extension. In terms of privacy, no properties are located to the rear of Burnham House to overlook the proposed studio (as the rear elevation faces onto railway lines). The proposed roof terrace would be enclosed by 1700mm obscure glazed screens to the sides which would prevent overlooking of the private space from neighbouring properties.

+ External amenity space

- 6.15 Policy D6 of the London Plan (2021) outlines that where there are no higher local standards in the borough development plan documents, a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings, and an extra 1sqm should be provided for each additional occupant. Key Principle HS1 of the Planning Guidance SPD (2018) specifies that all new dwellings should have access to an area of amenity space, appropriate to the type of housing being provided.

6.16 The proposed development would involve the removal of part of the pitched roof of the back addition to form a roof terrace enclosed by 1700mm high obscure glazed screens to the sides. The roof terrace would be accessible to the flat through French doors to the rear elevation of the rear roof extension. The proposed roof terrace (9.6sqm, as measured on the proposed floor plan) would be in excess of the minimum 5sqm requirement specified by Policy D6 of the London Plan (2021). As such, it is considered that the proposed development would provide sufficient external amenity space for future occupants of the proposed residential unit. The use of the roof terrace and the impact on residential amenity is considered later in the report.

+ Noise

6.17 Policy CC11 (b) of the Local Plan (2018) specifies that housing, schools, nurseries, hospitals and other noise sensitive development will not normally be permitted where the occupants/users would be affected adversely by noise, both internally and externally, from existing or proposed noise generating uses.

6.18 The Council's Environmental Protection team have reviewed the proposal, and they have highlighted that due to the proximity of the application site to the Hammersmith and City Tube line to the rear of the site, a pre-commencement condition relating to a noise assessment (including reflected and re-radiated noise) would be considered necessary to ensure that future occupants of the proposed residential unit. The applicant has agreed to the imposition of this condition in writing, and accordingly officers are satisfied that the proposal could mitigate against future occupants from being exposed to harmful levels of noise and disturbance, in accordance with Policy CC11 of the Local Plan (2018).

6.19 Officers note that the proposal's potential impact on the levels of noise and disturbance neighbouring occupants would be exposed to will be assessed in the 'impact upon neighbouring amenity' section of this committee report.

DESIGN AND HERITAGE

6.20 Paragraphs 135 and 139 of the National Planning Policy Framework (NPPF, 2024) 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 that is not well designed.

6.21 Paragraph 212 of the NPPF (2024) specifies 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. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 215 of the NPPF (2024) sets out that where a development 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.

6.22 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. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.

- 6.23 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.
- 6.24 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that: 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'
- 6.25 The application site is situated within the Melrose conservation area, and the site does not contain a Listed Building or a locally listed Building of Merit. The significance of the Melrose conservation area, is largely owing to its rapid development and evolution during the late 1800s to form a series of residential terraces. Paragraph 6.9 of the Melrose conservation area character profile (CACP) outlines that the design of any rear roof extension should be sympathetic to the character of the conservation area. Where they are visible from the street, including long views, then particular attention will need to be paid to their appearance.
- 6.26 Rear main roof extensions are a common and established form of development to this type of property not only within this terrace, but also within the Melrose conservation area and the wider borough. The proposal would increase the ridge height of the main roof by 300mm, and introduce a mansard style roof, with a flat roofed element and rear roof slope of 70 degrees. The extension would also introduce a centralised flat roofed element incorporating windows and a door providing access to a rear roof terrace. This would be consistent with rear roof extensions approved and built within the subject terrace at Irene House (Ref.2014/02692/FUL), Eric House (Ref.2015/04272/FUL), Percy House (Ref.2015/00344/FUL) and Holkham House (Ref.2017/03247/FUL), as well as with the rear roof extension recently allowed on appeal at Hazel House (Ref. 2020/02012/FUL) and that subsequently granted planning permissions at Holme House (Ref: 2021/03992/FUL) and Myrtle House (Ref. 2022/00833/FUL). On this basis the proposed roof extension would be in-keeping with the character and appearance of the application building and the subject terrace.
- 6.27 The proposed roof terrace, on top of the back addition, would be limited in area to 9.6sqm (as measured via the submitted drawings) and would be similar in appearance, to terraces/ glazed screens which already exist in the terrace at Percy House, Eric House and Holkham House, as well as to the terraces recently allowed at Hazel House, Holme House and Myrtle House (references quoted

above).

- 6.28 Given the limited extent of visibility of the proposals, and limited impact upon the street environment of Sulgrave Road; coupled with the established principle of such development within this terrace, the development is not considered to result in any harm to the conservation area. The proposals would preserve the character and appearance of the property, the subject terrace and the Melrose Conservation Area. The proposed development would also not have any adverse impacts upon the setting of Hammersmith Grove conservation area to the west of the site, as the rear elevation and roofscape of the application property is not prominent or visible in extensive views within the adjacent conservation area.
- 6.29 In view of the above, the design and appearance of the proposals at roof level are considered acceptable. The proposals are in keeping with character and appearance of the subject building and the terrace of which it forms a part of, and would not harm the character or significance of the Melrose conservation area, or the setting of the Hammersmith Grove conservation area. Materials are secured by a condition.
- 6.30 Furthermore, officers highlight that a similar application at Hazel House, Sulgrave Road (application ref. 2020/02012/FUL) was allowed on appeal by the Planning Inspectorate. In Paragraph 19 of that Appeal Decision (dated 14 June 2021), the Planning Inspector stated, with regard to the design of the proposal and its impact upon the character and appearance of the Melrose Conservation Area, that 'To my mind, the proposal would not necessarily manifest itself significantly differently than the existing residential use of Hazel House insofar as the character and appearance of the local area is concerned. The proposed roof alterations are modest in scale and acceptable in visual terms, and also in keeping with the character and appearance of the host property. As such, Hazel House and the terrace of which it forms part would continue to add to the significance of the CA as a heritage asset. Consequently, the character and appearance of the CA would be preserved'. Officers also highlight that the Planning Committee resolved to grant planning permission for an identical scheme at Burnham House (ref. 2024/00254/FUL) at the 04.03.2025 Planning Committee.
- 6.31 Officers have assessed the impact of the proposal on the heritage assets and consider that it is compliant with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal is also in line with national guidance in the NPPF (2024) and strategic local policies on the historic environment and urban design.
- 6.32 The proposed development is also considered acceptable in accordance with Sections 12 and 16 of the NPPF (2024), Policy HC1 of the London Plan (2021) and Policies DC1, DC4 and DC8 of the Local Plan (2018).

IMPACT UPON NEIGHBOURING AMENITY

- 6.33 Policy HO11 of the Local Plan (2018) specifies that any proposal should ensure an acceptable impact upon the amenity of neighbouring residential occupants, especially with regard to outlook, privacy, daylight/sunlight and a sense of enclosure.

6.34 Key Principles HS6, HS7 and HS8 of the Planning Guidance SPD (2018) provide guidance on how proposals should mitigate against detrimental harm to the amenity of neighbouring occupants, in regards to a loss of outlook, privacy and noise levels.

6.35 In this case the key considerations are the impact to the flats within Norfolk House below, and to the flats within the adjoining mansion blocks of Alexandra House and Suffolk House. No residential properties would be located directly to the rear of the proposed development.

+ Daylight and Sunlight

6.36 The proposed development would not result in undue harm to daylight/sunlight levels. Notably, the bulk of the proposed development would be contained within the main roof of the parent building, and the proposed terrace screening would consist of obscured glass, which would still allow light through to neighbouring properties. Overall, the proposal would not be considered detrimental to the amenity of neighbouring occupants, with regard to outlook, light and a sense of enclosure.

+ Outlook

6.37 The proposed development would not result in undue harm to outlook. No residential properties would be located directly to the rear of the proposed development, with the Hammersmith and City Tube line beyond the rear boundary of the application site. Furthermore, because the bulk of the rear roof extension would be contained to the main rear roof slope of the parent building and would not extend over the existing back addition, this element of the proposal would not be visible from the existing windows serving the existing six residential units within Norfolk House, and would not result in detrimental harm to the amenity of neighbouring occupants when viewed from the back addition windows serving Alexandra House and Suffolk House.

6.38 The proposed screens on top of the back addition, serving the terrace, would be no higher than the existing ridge height of the back addition, would have a modest projection, and would be set back by over 1m from either side elevation. Together with the lightweight and largely transparent material, it is not considered the screens would cause undue harm to outlook to the windows contained within the main building and back additions of both Alexandra House and Suffolk House either side of the subject building, in accordance with Key Principle HS7 of the Planning Guidance SPD (2018).

+ Privacy

6.39 Key Principle HS7 (iii) of the Planning Guidance SPD (2018) specifies that any new windows should be positioned at least 18m away from existing habitable room windows, 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.

- 6.40 The proposed development would not result in undue harm. The newly created fenestration would face the railway line to the rear of the site. The proposed terrace would be enclosed by 1.7m high obscure glazed privacy screens to the sides and as such no views would be afforded into the windows of the properties located either side of the subject building (Alexandra House and Suffolk House). The glazing specification is secured by a condition.

+ Noise

- 6.41 Policy D14 of the London Plan (2021) outlines that in order to reduce, manage and mitigate noise, residential and other non-aviation development proposals should manage noise by, amongst other measures, mitigating and minimising the existing and potential adverse impacts of new development.
- 6.42 Policies CC11 and CC13 of the Local Plan (2018) specify that all proposed development will be required to demonstrate that there will be no undue detriment to the general amenities enjoyed by existing surrounding occupiers as a result of nuisances (including noise).
- 6.43 Key Principle NN3 of the Planning Guidance SPD (2018) states that in the design of new residential dwellings (including change of use and conversions), careful consideration should be given to stacking and layout of rooms in relation to adjoining walls, floors and ceilings. To ensure the amenity of occupiers is not adversely affected by noise, the council expects all parts of adjoining dwellings to enhance the sound insulation, including where the adjoining room is of a similar use.
- 6.44 The proposed residential studio unit would sit above the existing habitable rooms of Flats 5 and 6, which occupy the second-floor level of Norfolk House. There is therefore potential for noise transmission between both the new and the existing flats.
- 6.45 Officers highlight that planning permission was refused at Hazel House (Ref. 2020/02012/FUL) for a similar scheme on grounds relating to noise transmission, however this was not supported by the Inspector during the subsequent appeal. In determining the appeal, the Inspector considered the supporting acoustic report and concluded in Paragraph 16 that 'with a suitable condition in place to secure appropriate insulation, as proposed, I conclude that the proposal would not materially harm the living conditions of existing or future occupiers with regard to noise, vibration or general disturbance'.
- 6.46 Separately, as part of the Hazel House Appeal, the Inspector acknowledged that there would be some additional activity associated with an extra resident, such as the general coming and going of people and their visitors to the property. However, the Inspector stated in Paragraph 15 of the Appeal decision that, 'there is no convincing evidence that the additional noise and general disturbance associated with these movements would be so great as to materially harm the living conditions of others'.
- 6.47 The Council's Environmental Protection team have been consulted on the current

planning application, and following review, have confirmed that the proposed sound insulation would be compliant with the relevant Building Regulation standards. They therefore raise no objection to the sound insulation specification (Ref. 0901241NR, REV 0.0, dated 31.01.2024) prepared by Peak Acoustics Ltd, subject to a compliance condition being attached to ensure that this is installed prior to occupation of the proposed residential unit.

- 6.48 Key Principle HS8 of the Planning Guidance SPD (2018) specifies that planning permission will not be granted for roof terraces or balconies if the use of the terrace or balcony is likely to cause harm to the existing amenities of neighbouring occupiers by reason of noise and disturbance. Supporting Paragraph 3.16 of the Planning Guidance SPD (2018) specifies that the Council may seek for balconies and terraces to be no bigger than 15sqm to reduce noise and disturbance to neighbours.
- 6.49 The proposed terrace would not exceed the typical guidance on terrace sizes contained within Key Principle HS8 of the Planning Guidance SPD (2018), and accordingly, would be considered to limit the number of people who could occupy the terrace at any one time. This is considered sufficient to prevent neighbouring occupants from being exposed to harmful levels of noise associated with usage of the terrace.
- 6.50 Overall, for the reasons outlined above, the proposal would be considered to mitigate against detrimental harm to the amenity of neighbouring occupants with regard to outlook, light, privacy and noise, consistent with Policy D14 of the London Plan (2021), Policies CC11, CC13 and HO11 of the Local Plan (2018) and Key Principles HS6, HS7, HS8 and NN3 of the Planning Guidance SPD (2018).

HIGHWAYS/PARKING AND REFUSE/RECYCLING

+ Highways/parking

- 6.51 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
- 6.52 Policy T6 (B) of the London Plan (2021) specifies that car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport.
- 6.53 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.

- 6.54 Using Transport for London's methodology, the application site has a PTAL 6a rating, indicating excellent public transport accessibility levels. Accordingly, to be compliant with Policy T6 of the London Plan (2021), Policy T4 of the Local Plan (2018) and to prevent an increase in parking stress within surrounding streets, as well as to reduce the impact on air quality which additional car generation would otherwise create, it should be ensured that the proposed residential unit is car parking permit free. The Council's chosen method to ensure car parking permit free development is via a Legal Agreement, and the applicant has confirmed in writing that they are willing to agree a Legal Agreement to secure the proposed residential unit as car free development. Subject to this, officers are satisfied that the proposal would mitigate against harmfully exacerbating any existing levels of parking stress and congestion within the locality, or from impacting on air quality levels. This is considered to be in accordance with Policy T6 of the London Plan (2021) and Policies T4 and CC10 of the Local Plan (2018).
- 6.55 The current application proposes to locate the cycle storage internally, utilising the under stair communal cupboard in the hallway. Comments received from residents' question whether a bicycle can fit in the space and suggest the storage of the bicycle would obstruct access to the building's meters located inside. Officers highlight that the same internal cycle storage location was proposed as part of planning application ref. 2015/05734/FUL, and whilst that was not deemed acceptable by the Council, this was not supported by the Planning Inspector in determining that appeal (Appeal Decision dated 27.01.2017). The Planning Inspector was satisfied that the use of the space under the stairs for cycle storage was an acceptable solution and accordingly did not uphold that particular reason for refusal.
- 6.56 Officers note that the proposed cycle storage would provide secure and weather-proof storage and that a similar arrangement was also allowed under the previous appeal at Hazel House (Ref. 2020/02012/FUL), and under Ref. 2022/00833/FUL at Myrtle House. Furthermore, an identical cycle storage arrangement was proposed at Burnham House (Ref. 2024/00254/FUL), which Planning Committee resolved to grant planning permission on 04.03.2025. Accordingly, officers raise no objection to this element of the proposal, which is considered to be consistent with Policy T5 of the London Plan (2021).

+ Refuse and recycling

- 6.57 Policy CC7 of the Local Plan (2018) specifies that all developments should aim to minimise waste and should provide convenient refuse and recycling storage facilities.
- 6.58 The existing ground-floor plan demonstrates that the existing bin storage is located within the front garden of Norfolk House, and this was confirmed during the officer site visit. Annotations on the proposed ground-floor plan specify that one additional bin would be provided for the proposed residential studio unit, and that this would be stored in a similar location to the existing bins. Officers consider that this arrangement would ensure adequate provision for bin storage for future occupants of the proposed residential unit. Accordingly, officers are satisfied that the proposal would be compliant with Policy CC7 of the Local Plan (2018).

FLOOD RISK

6.59 The application site lies within the Environment Agency's Flood Risk Zones 2 and 3, and accordingly a flood risk assessment (FRA) would typically be required by Policy CC3 of the Local Plan (2018). Whilst acknowledged that a FRA has not been submitted as part of this application, officers recognise that the proposal relates to the erection of a rear roof extension to accommodate a residential studio unit. Accordingly, the siting of the proposal is considered sufficient to mitigate against harmfully exacerbating the application site's flood risk.

AIR QUALITY

6.60 NPPF (2024) Paragraph 199 relates to air quality, and states planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan. The councils Air Quality Action Plan 2025-2030 was approved and adopted by the council on the 16th of December 2024.

6.61 The development site is within the borough wide Air Quality Management Area (AQMA) and in an area of existing poor air quality due to the road traffic emissions from Shepherds Bush Road (A219) and Goldhawk Road (A402).

6.62 The Council's Air Quality team have reviewed the application and recommended conditions 6, 13 and 14 to secure details of air quality mitigations to ensure the development is in accordance with Local Plan Policies CC1 and CC10, London Plan Policy SI 1, and the councils Air Quality Action Plan.

FIRE SAFETY AND ACCESSIBILITY

6.63 London Plan Policies D5, D7 and Local Plan Policies HO6, DC1, DC4 and HO11 require development proposals to achieve the highest standards of accessible and inclusive design. London Plan Policy D5 part 4) states development should be able to be entered, used and exited safely, easily and with dignity for all.

6.64 In the interests of fire safety and to ensure the safety of all building users, Policy D12 of the London Plan (2021) states that 'all development proposals must achieve the highest standards of fire safety'. Part A of Policy D12 specifies that proposals should ensure that they:

- 1) Identify suitably positioned unobstructed outside space:
 - a) for fire appliances to be positioned on
 - b) appropriate for use as an evacuation assembly point
- 2) Are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures
- 3) Are constructed in an appropriate way to minimise the risk of fire spread
- 4) Provide suitable and convenient means of escape, and associated evacuation strategy for all building users
- 5) Develop a robust strategy for evacuation which can be periodically updated and published, and which all building users can have confidence in

- 6) Provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.
- 6.65 As required by Policy D12 of the London Plan (2021), a fire strategy statement (dated 02.05.2023) has been submitted as part of this proposal. This outlines how consideration has been given to Part A, criteria 1 - 6 of Policy D12. Officers do also highlight that 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'.
- 6.66 The proposal has been reviewed by the Council's Building Control Fire Safety & Means of Escape Officer. Their comments confirm that because the proposal seeks to add an additional floor to the building, there is a requirement to improve the means of escape to meet current Building Control standards; which is the reason for the proposed installation of fire doors and glazed screens to create internal fire lobbies. The creation of internal fire lobbies is considered to be a significant improvement to the means of escape for existing and future occupants, and the use of glazed doors is not a concern as long as these meet the required fire-resisting standards. Glazed screens would also have the added benefit of allowing a greater proportion of natural light into the internal landings and staircases. While it is acknowledged that the fire doors will add a further obstruction for residents when evacuating the building, they are an important means to resist fire spreading throughout the building, and as such on balance are considered an overall benefit to the occupiers of the building. Although the depth of the lobby is reduced this still meets the building regulation standards and the width of the lobby remains as existing.
- 6.67 In respect of how an elderly person or somebody with impaired mobility may navigate the new fire doors, the finer details on the doors would be agreed under the building regulations and not planning. Nonetheless, the Council's Building Control Fire Safety & Means of Escape Officer is satisfied that the residents will be able to evacuate their properties appropriately and without significant hindrance.
- 6.68 The Council's Building Control Fire Safety & Means of Escape Officer has confirmed that all works, materials and installations would be examined during the building control process, and that as part of this, a consultation with the fire service would also be undertaken seeking their observations.
- 6.69 On this basis the proposals would ensure an accessible environment for existing and future occupiers; and in terms of fire risk the details provide are acceptable for the purposes of planning.

BIODIVERSITY NET GAIN

- 6.70 Biodiversity Net Gain (BNG) became mandatory for major development proposals from 12th February 2024 and for minor development proposals from 2nd April 2024.
- 6.71 Officers highlight that the current planning application would be considered a minor development, and that the application was received on 06.02.2024 and validated on 12.02.2024. Accordingly, by reason of the application date preceding the introduction of BNG, the development would be exempt from BNG.

TREES

6.72 The site visit highlighted the presence of mature trees within the rear garden of the application site/neighbouring properties. Potential concern was raised by officers that scaffolding and the storage of building materials in the rear garden may cause harm to the health and visual amenity of the trees. To address these concerns, the applicant has submitted a Tree Protection Statement as part of the application. This details that a temporary tree protection fence will be erected across the rear corner of the application site prior to construction works and will be retained in place for the duration of the construction works.

6.73 The Council's Tree Officer has reviewed the Tree Protection Statement and has raised no objection to the proposal, subject to adherence to this document. Accordingly, these measures would be considered to preserve the health and visual amenity of the trees, and therefore, no objection is raised with regard to Policies OS5 and DC8 of the Local Plan (2018).

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 the net-gain of one self-contained residential studio unit of satisfactory standard, contributing towards the borough's housing supply targets. Furthermore, the scale, massing, design and material finishes would ensure a high standard of design which would preserve the character and appearance of the surrounding area and designated heritage assets, whilst mitigating against detrimental harm to the amenity of surrounding occupants. Highway impacts would be mitigated via a Legal Agreement (Unilateral Undertaking) to secure car permit free development.

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

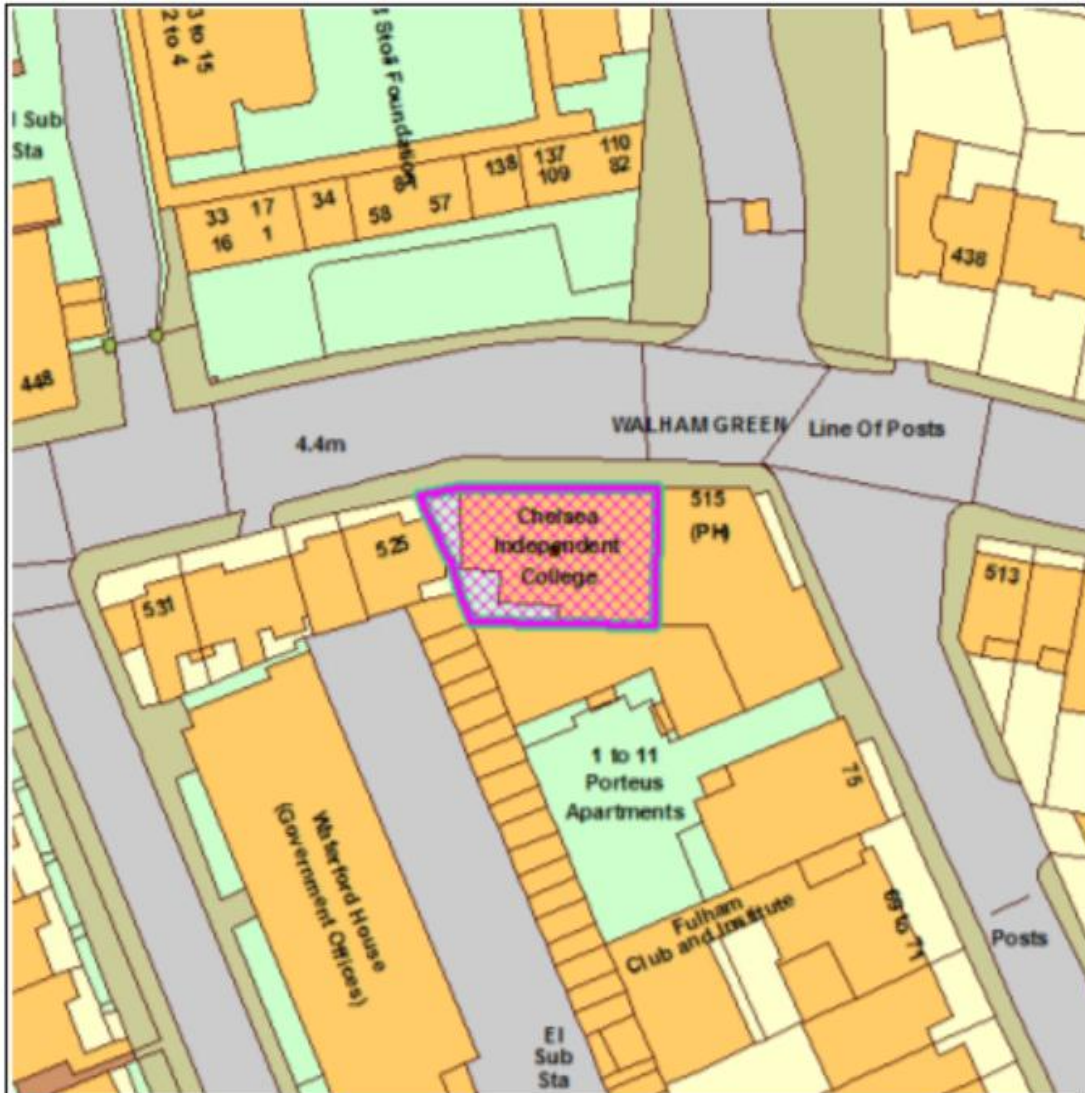
8.1 Grant consent, subject to conditions and a unilateral undertaking.

Agenda Item 9

Ward: Walham Green

Site Address:

517 - 523 Fulham Road London SW6 1HD



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For identification purposes only - do not scale.

Reg. No:

2024/02201/FUL

Date valid:

03.09.2024

Committee Date:

08.07.2025

Case Officer:

Ronny Ferley

Conservation Area:

Moore Park

Conservation Area –
No.30

Applicant:

Mr. L. Trevellyan
Trevellyan Developments Ltd.
C/O Agent

Description:

Redevelopment of the site to include, change of use of the existing property from a school (Class F1) to a mixed use (Class E) at basement and ground floor level and conversion of first, second, third and fourth floor level into 7no. self-contained flats (Class C3); alterations to include, removal of existing fire escape staircase to the rear of the building, erection of a three storey extension with an undercroft below and a roof terrace above; addition of rear metal balconies/terraces at first, second and third floor level; installation of 2no. air source heat pumps, metal door, decking, balustrade, steps, cycle gutter, and roller shutter to the rear ground floor elevation, creation of residential entrance to the front elevation, and erection of 1.8m high security gate in connection with the formation of a gated side access for cycle parking, cycle and bin stores at ground floor level; associated alterations.

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) 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 Drawings/Plans

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

D0100 Rev L1;
D0101 Rev L1;
D0102 Rev L1;
D0103 Rev L1;
D0104 Rev L1;
D0200 Rev L1;
D0201 Rev L1;
D0202 Rev L1;
D0203 Rev L1;
D0300 Rev L1;
D0500 Rev L1.

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

3) 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) Internal and External Noise for sensitive premises

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

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

5) Separation of Noise between residential units

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.

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).

6) Noise Separation between commercial and residential

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 commercial part(s) of the premises from dwellings between the ground and first floors. Details shall demonstrate that the sound insulation value $D_{nT,w}$ is enhanced by at least 20dB above the Building Regulations value and, where necessary, additional mitigation measures are implemented to contain commercial noise within the commercial premises and to achieve the criteria 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.

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).

7) Anti-Vibration

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.

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).

8) External Noise from plant equipment

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.

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) 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.

To ensure that the visual impact of telecommunication equipment can be considered in accordance with Policies DC1, DC4 and DC8 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.

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

11) No Further Roof Terrace

Other than the areas shown on the hereby approved drawings as a designated roof terrace, no part of any other roof at the premises shall be used as a roof terrace or other form of open amenity space. No alterations shall be carried out; nor planters or other chattels placed on the roofs. No railings or other means of enclosure shall be erected on the roofs, and no alterations shall be carried out to the property to form access onto the roofs.

The use of the 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 overlooking, noise and disturbance, contrary to Policies HO11 and CC11 of the Local Plan (2018).

12) Roof Terrace Enclosure

Prior to the occupation of the development hereby permitted, the enclosure details of the fourth-floor roof terrace of Apartment 4.01 (as shown on Dwg Nos. D 0104 Rev L1 and D0300 Rev L1) shall be submitted to and approved by the Local Planning Authority.

The enclosures shall thereafter be permanently retained as approved.

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

13) Cycle Parking

Prior to the first occupation of the relevant part of the development hereby permitted, details of cycle parking facilities for the hereby approved residential and commercial use shall be submitted to and approved by the Local Planning Authority.

Such details must be in accordance with Table 10.2 (minimum cycle parking standards) of the London Plan (2021) and shall be secured, accessible and sheltered as a minimum.

Approved details shall thereafter be retained solely for the designated use.

To ensure adequate cycle parking is available on site and to promote sustainable modes of transport in accordance with Policy T3 of the Local Plan (2018) and Policy T5 of the London Plan (2021).

14) Refuse and Recycling

Prior to the first occupation of the relevant part of the development hereby permitted, details of refuse and recycling facilities for the hereby approved residential and commercial use shall be submitted to and approved by the Local Planning Authority.

Thereafter, the provision for refuse and recycling storage shall be permanently maintained in the form of the approved details for the lifetime of the development.

To ensure satisfactory provision for the storage of refuse and recycling on site, and thereby prevent it being stored on the highway, in accordance with Policy CC7 of the Local Plan (2018).

15) Construction Management/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.

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).

16) Ultra Low Emission Strategy

Prior to occupation of the commercial development hereby permitted, an Ultra Low Emission Strategy (ULES) shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:

a. Procurement policy and processes for contractors and suppliers that will incentivise and prioritise the use of Zero Exhaust Emission Vehicles in accordance with the emission hierarchy of 1) Walking Freight Trolley 2) Cargo bike (3) Electric Vehicle

b. Use of Zero Exhaust Emission Vehicles in accordance with the emissions hierarchy (1) Walking Freight Trolleys (2) Cargo bike (3) Electric Vehicle,

c. Reduction and consolidation of deliveries and collections e.g., Waste

d. Re-timing of deliveries and collections outside of peak traffic time periods of 07:00-10:00 and 15:00-19:00 hrs.

The ULES shall be monitored and reviewed on an annual basis and any subsequent modifications or alterations to the ULES should be submitted to and approved in writing by the Local Planning Authority.

The approved details shall be implemented prior to occupation and the ULES hereby permitted shall thereafter operate in accordance with the approved details.

In the interest of air quality improvement and to comply with the requirements of Policy SI 1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

17) Ventilation Strategy

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 each of the 7 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 the Annual Mean Nitrogen Dioxide (NO₂), and Particulate (PM₁₀, PM_{2.5}) concentrations are equal to 20ug/m³, 20ug/m³ and 10 ug/m³ respectively 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 elevations of each residential floor.

b. Details and locations of restricted opening front elevation windows (maximum 200mm for emergency purge ventilation only) for all habitable rooms (Bedrooms, Living Rooms, Study) on all residential floors facing North End Road.

c.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.

d.Details of the independently tested mechanical ventilation system with Nitrogen Dioxide (NO₂) and Particulate Matter (PM_{2.5}, 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 (PM_{2.5}, PM₁₀) in accordance with BS EN ISO 10121-1:2014 and BS EN ISO 16890:2016.

The whole system shall be designed to prevent summer overheating and minimise energy usage. The maintenance and cleaning of the systems shall be undertaken regularly in accordance with manufacturer specifications and shall be the responsibility of the primary owner of the property. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

In the interest of air quality improvement and to comply with the requirements of Policy SI 1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

18) Ventilation Strategy Compliance

Prior to occupation of the development hereby permitted, details of a post installation compliance report of the approved ventilation strategy as required by condition 17 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 Surveyor (MRICS). Approved details shall be fully implemented prior to the occupation of the development and thereafter permanently retained and maintained.

In the interest of air quality improvement and to comply with the requirements of Policy SI 1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

19) Zero Emission Heating

Prior to occupation of the development hereby permitted, details of the installation/commissioning reports of the Zero Emission MCS certified Air Source Heat Pumps or electric boilers to be provided for space heating and hot water for the eight self-contained dwellinghouses (Use Class C3) and Public House (Use Class Sui Generis) 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 interest of air quality improvement and to comply with the requirements of Policy SI 1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

20) Air Source Heat Pumps

Prior to first occupation of the development hereby approved, details of the Air Source Heat Pumps (ASHPs) (as shown on approved Dwg Nos. D0100 Rev I1, D0202 Rev I1, D0203 Rev I1 and D0300 Rev I1), shall be submitted to and approved in writing by the Local Planning Authority, implemented as approved and thereafter maintained.

In the interest of sustainability and to ensure that the proposed development does not prejudice the appearance of the area or the amenity of neighbouring occupiers in accordance with Policies CC1, CC11, DC1, DC8 and HO11 of the Local Plan (2018).

21) Limited Class E Use

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 or the Town and Country Planning (General Permitted Development) Order 2015 (or any orders revoking and re-enacting those orders with or without modification) the premises shall be used for all Class E uses except for the following use:

- Class E(b) - for the sale of food and drink for consumption (mostly) on the premises.
- Class E(d) for indoor sport, recreation or fitness and;
- Class E(f) for creche, day nursery or day centre.

To ensure that there would be no adverse impact upon residential amenity by reason of noise and disturbance or highway safety by reason of increased traffic generation in accordance with Policies HO11, CC11 and T1 of the Local Plan (2018).

22) No Advertisement

No advertisements shall be installed on the additional floors hereby permitted without the prior written approval of the Council.

To ensure a satisfactory external appearance of the development in accordance with Policy D3 of the London Plan (2021), Policies DC1, DC4, DC8 and DC9 of the Local Plan (2018).

23) Thames Water Network – Foul Water

No development shall be occupied until confirmation has been provided that either:

1. Foul water capacity exists off site to serve the development, or
2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or
3. All Foul water network upgrades required to accommodate the additional flows from the development have been completed.

Thames Water network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. This is in accordance with Policies CC3, CC5, CC8 and CC13 of the Local Plan (2018).

24) Thames Water Network – Surface Water

No development shall be occupied until confirmation has been provided that either:

1. Surface water capacity exists off site to serve the development or;
2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan. Or;
3. All Surface water network upgrades required to accommodate the additional flows from the development have been completed.

Thames Water network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. This is in accordance with Policies CC3, CC5, CC8 and CC13 of the Local Plan (2018).

25) Secured By Design

Prior to occupation of the development hereby approved details of how the development has included Secured by Design Standards in the fenestration and the external door-sets of the building, shall be submitted and approved in writing by the Local Planning Authority.

Any further works necessary to comply with Secured by Design Standards shall be carried out prior to the first occupation of the residential units. These measures shall be permanently retained and maintained.

To ensure that the development maintains and enhances community safety in accordance with Policy HO11 of the Local Plan (2018).

26) Delivery and Servicing Plan

Prior to occupation or first use of the development hereby permitted, a Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority.

Details shall include the management and times of deliveries to avoid peak times, emergency access, collection of waste and recyclables, times and frequencies of deliveries and collections, silent reversing methods, quiet loading/unloading measures, location of loading bays and vehicle movements.

The approved details shall be implemented prior to occupation and the DSP hereby permitted shall thereafter operate in accordance with the approved details.

The DSP shall be regularly monitored and reviewed and any subsequent modifications or alterations to the DSP 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 servicing activities do not adversely impact on the highway, in accordance with Policy T7 of the London Plan (2021), and Policy T2 of the Local Plan (2018).

Justification for approving application:

1. Land Use: The proposed development would achieve a sustainable form of development by meeting local housing demands through the optimisation of the current site capacity to provide new residential units. It has been demonstrated that the proposals would provide adequate flexible Class E use floorspace that can accommodate a number of different types of businesses on the ground and basement floors, which would maintain an employment use at the site and mitigate against the loss of community use (Use Class F1). It is considered that the proposed residential use would be compatible with the surrounding mixed-use area which includes residential above commercial ground floors. The proposed 7 small non-family sized residential units would make efficient use of land near a town centre. The proposals are therefore considered to be in accordance with Policies S1, S3 and H1 of the London Plan (2021), Policies CF1, CF2, E2, HO1 and HO5 of the Local Plan (2018).

2. Housing Quality: The proposed development would provide 7 one- and two-bedroom self-contained flats in accordance with exceeding the minimum floorspace requirements. Given the proximity to a town centre and the physical site constraints, the mix of non-family units are considered appropriate in this case. The development would provide dwellings with acceptable living conditions and good standards of accommodation to future occupiers 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 as well as relevant Housing Key Principles of the 'Planning Guidance' SPD (2018).

3. Design and Heritage: The proposed development be of good design quality which optimises the capacity of a previously developed land. The proposals would retain the character and appearance of the host property and include provision of modest extensions to the rear to facilitate the change of use of the site to residential accommodation. As such, it is considered that the proposals would not result in harm to the setting of the Moore Park conservation or adjacent designated/non-designated heritage assets. Overall, the proposed development is considered acceptable having due regard for sections 66 and 72 of Planning (Listed Buildings and Conservation Areas) Act 1990, and would be in accordance with the NPPF (2024), London Plan Policies D3, D4, D5 and HC1, as well as Local Plan Policies DC1, DC4 and DC8, and relevant design and heritage Key Principles of the 'Planning Guidance' SPD (2018).

4. Residential Amenity: The proposed development would respect the principles of good neighbourliness and maintain an acceptable relationship with the neighbouring residential properties. Subject to conditions, the proposed scheme 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 proposals comply with Policies DC1, DC4, HO11, CC11, CC12 and CC13, and relevant housing and amenity Key Principles of the 'Planning Guidance' SPD (2018).

5. Transport and Highways: It is considered that the scheme would not have a significant undue impact on the highway network, road safety and conditions or local on-street car parking demands due to restriction of car parking on and off street; hence it is deemed to be acceptable in transport terms. Satisfactory provision would be made for cycle parking and a legal agreement is secured to ensure a car-free scheme in this area, which benefits from excellent public transport links. Adequate provision for the storage and collection of refuse and recyclables would be provided for the proposed commercial and residential use and these would be secured by conditions. The proposed development therefore accords with the NPPF (2024), London Plan

(2021) Policies T1-T7, Local Plan (2018) Policies T1, T2, T3, T4, T7 and CC7, and relevant transport and waste management Key Principles of the 'Planning Guidance' SPD (2018).

6. Environmental Issues: The impact of the development with regards to flood risk, air quality and land contamination are considered to be acceptable subject to conditions to secure further details of mitigations and appropriate measures, 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 impacts of the development and make it acceptable in planning terms are secured. This includes car permit free restrictions as well as Section 106 financial contribution to mitigate the loss of a community floorspace, community security, public realm improvements and local employment skills initiatives, as well as a car permit free restrictions. The proposed development would therefore mitigate unwanted impacts and cater to the needs of the community affected by the proposed development. This would accord with London Plan (2021) Policy DF1 and Local Plan (2018) Policies E1, TLC2 and INFRA1

That the applicant be informed as follows:

1. Permitted hours for building work

Construction and demolition works and associated activities at the development, audible beyond the boundary of the site should not be carried out other than between the hours of 0800 - 1800hrs Mondays to Fridays and 0800 - 1300hrs on Saturdays and at no other times, including Sundays and Public/Bank Holidays, unless otherwise agreed with the Environmental Health Officer.

Notification to neighbours of demolition/building works

At least 21 days prior to the commencement of any site works, all occupiers surrounding the site should be notified in writing of the nature and duration of works to be undertaken. The name and contact details of a person responsible for the site works should be made available for enquiries and complaints for the entire duration of the works and updates of work should be provided regularly. Any complaints should be properly addressed as quickly as possible.

Dust

Best Practicable Means (BPM) should be used in controlling dust emissions, in accordance with the Supplementary Planning Guidance issued by the GLA 2014 for The Control of Dust and Emissions from Construction and Demolition.

Dark smoke and nuisance

No waste materials should be burnt on site of the development hereby approved.

Noise and Vibration from demolition, piling, concrete crushing, drilling, excavating, etc.

Best Practicable Means (BPM) should be used, including low vibration methods and silenced equipment and machinery, in accordance with the Approved Codes of Practice of BS5228:2009 for noise and vibration control on construction and open sites.

2. The Metropolitan Police have a preferred security standard for the manufacture of doors and windows which is known as Secured by Design (SBD). Numerous long-term studies have shown that by fitting SBD approved specification doors and windows you will reduce the chances of becoming a burglary victim.

Within the London Borough of Hammersmith & Fulham (LBHF) all larger scale new builds/developments and refurbishments are built to this standard and it is encouraged that you to adopt Secured by Design accredited products for your own build.

You can find a list of product and suppliers on the secured by design web site: www.securedbydesign.com

Before a decision can be made as to whether this change of use application is suitable to achieve an SBD award, the Metropolitan Police - Crime Prevention Team will need further details regarding the fenestration of the building and the external door-sets. The applicant can contact the Met Police on tiago.depaula@met.police.uk / 0208 247 5834

3. The developer can request information to support the discharge of conditions 23 and 24 by visiting the Thames Water website at thameswater.co.uk/preplanning
4. In the event that any bat, bat roost or bird nest is suspected or discovered during works, then works must immediately cease and a licensed ecologist must be consulted. All bat and bird species are protected under Schedule 5 of the Wildlife and Countryside Act 1981 and it is a criminal offence to disturb or destroy bats / birds and their roosts / nests.

5. If the alterations include integration of new water using fixtures/fittings, then these should be water efficient ones to comply with the requirements of Local Plan Policies CC3 and CC4 (2018).
 6. The applicant should ensure that any soakaway system proposed for the site must be designed and constructed to comply with Building Regulation requirements in relation to drainage, with reference to Section 3 on Surface Water Drainage of Approved Document H. In particular, soakaways should not be located within 5 metres of a building or road. Approved Document H can be found online here:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/442889/BR_PDF_AD_H_2015.pdf
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**LOCAL GOVERNMENT ACT 2000
LIST OF BACKGROUND PAPERS**

All Background Papers held by case officer named above:

Application received: 2nd September 2024

Drawing Nos: see above

Policy Documents: National Planning Policy Framework (NPPF, 2024)
The London Plan (2021)
LBHF - Local Plan (2018)

Supplementary Planning Documents:

LBHF - 'Planning Guidance' Supplementary Planning Document (2018)
LBHF - 'Climate Change' Supplementary Planning Document (2023)

Consultation Comments:

Comments from:

Thames Water
Metropolitan Police Crime Prevention

Dated:

20.09.2024
25.09.2024

Neighbour Comments:

Letters from:

Dated:

None.

1. SITE DESCRIPTION AND HISTORY

- 1.1 The application site (approximately 0.03 ha) is located on the southern side of Fulham Road, near its junction with Britannia Road. It consists of a five storey modern 1980s building which falls within the Moore Park Conservation Area and is within the setting of both the Grade II Listed Building Sir Oswald Stoll Foundation Southern Block, and the adjacent locally listed, (Building of Merit), 525 – 531 Fulham Road.
- 1.2 The site is currently vacant, and its last use was as an independent school annex to the Chelsea Independent College Sixth Form.
- 1.3 The site falls just outside the Fulham Town Centre boundary which lies approximately 50m to the west. It is also within a Flood Risk Zone 3, Controlled Parking Zone (Zone S) and it has a Public Transport Accessibility Level of 6a.

Planning History

- 1.4 In 2022, planning permission (Ref: 2022/02379/FUL) was granted for the change of use from a School Use Class F1(a) to a Medical or Health Service Use Class E(e); installation of a new metal gate, formation of 2no. refuse stores enclosed in steel fence and steel panels, formation of cycle parking, at ground floor level to the side of the main building fronting Fulham Road; formation of cycle parking to the rear elevation at basement floor level. This permission was not implemented.
- 1.5 In 2022, planning permission (Ref: 2022/00090/FUL) was granted for the change of use from a School Use Class F1(a) to a Nursery Use Class E(f); installation of a new metal gate, formation of 2no. refuse stores enclosed in steel fence and steel panels, formation of cycle parking, to the side of the main building fronting Fulham Road, and formation of scooter parking to the rear elevation at ground floor level. This permission was not implemented.
- 1.6 In 2022, planning permission (Ref: 2021/02478/VAR) was granted for the variation of Condition 2 (approved plans) and 16 (cycle store) of planning permission Ref No.2021/02993/VAR which was for the "Variation of Condition 2 (approved drawings) to allow minor material amendments to planning permission ref: 2021/01576/VAR dated 28th July 2021 for the "the installation of air conditioning condenser units and installation of 2no. windcatcher vents to the southern elevation; installation of ventilation louvres to the southern and western elevations". The amendment sought is to amend the approved plans (condition 2) to include cycle storage information and to update the wording of condition 16 to "Prior to first occupation of the extended building for educational use, the proposed development hereby permitted shall provide 4Nos. secure cycle parking spaces and 14Nos. scooter parking spaces in

accordance with the approved plans. The cycle and scooter parking shall thereafter be maintained for such use for the duration of the approved use". This permission was not implemented.

- 1.7 In 2021, planning permission (Ref: 2021/02993/VAR) was granted for the variation of Condition 2 (approved drawings) to allow minor material amendments to planning permission ref: 2021/01576/VAR dated 28th July 2021 for the "Erection of 2 additional floors at roof level to provide a third and 4th floor level, in connection with its use as D1." Amendments sought are installation of air conditioning condenser units and installation of 2no. windcatcher vents to the southern elevation; installation of ventilation louvres to the southern and western elevations. This permission was implemented.
- 1.8 In 2021, planning permission (Ref: 2021/01577/FUL) was granted for the replacement of 1no existing window with new fire rated double glazed timber window at upper ground floor level, replacement of 1no window with a door at first and second floor level, and erection of external fire escape staircase from ground to fourth floor level to the southern elevation; replacement of 1no window with new fire rated double glazed window at upper ground, first and second floor level to the western elevation and replacement of 1no window with new fire rated double glazed window at upper ground, first and second floor level to the eastern elevation.
- 1.9 In 2021, planning permission (Ref: 2021/01576/VAR) was granted for the variation of Condition 2 (approved drawings) to allow minor material amendments of planning permission ref: 2014/04145/FUL dated 28th October 2014 for the "Erection of 2 additional floors at roof level to provide a third and 4th floor level, in connection with its use as D1." Amendments sought are to include the installation of 2no. air conditioning Louvres to the southern elevation, reducing the size of the fourth floor extension, installation of 1no. door in place of the window to the southern elevation at third and fourth floor level, and installation of 1no. fire rated double glazed window to the western elevation at third floor level.
- 1.10 In 2017, planning permission (Ref: 2017/03951/VAR) was refused for the removal of Condition 16 (provision of 30 secure cycle parking spaces) of planning permission reference: 2014/04145/FUL granted 28th October 2014 for the "erection of 2 additional floors at roof level to provide a third and 4th floor level, in connection with its use as D1."

The reason(s) for refusal were –

- i. The proposal to remove condition 16 would fail to promote alternative, sustainable forms of transport, and is therefore contrary to Policy J5 of

the Development Management Local Plan 2013 and SPD Transport
Policy 12 Planning Guidance Supplementary Planning Document 2013.

- 1.11 In 2016, planning permission (Ref: 2015/05644/FUL) was granted for the installation of a new vent grille at basement level to the rear elevation; installation of a kitchen extract duct at the rear of the property for new kitchen at basement level.
- 1.12 In 2014, planning permission (Ref: 2014/04145/FUL) was granted for the erection of 2 additional floors at roof level to provide a third and 4th floor level, in connection with its use as D1.
- 1.13 In 2014, planning permission (Ref: 2014/01135/FUL) was granted for the installation of grilles in the rear and flank elevations at basement level to provide ventilation and extract ducting for new kitchen.
- 1.14 In 2005, planning permission (Ref: 2005/01914/FUL) was granted for the change of use from Offices (Class B1) to Medical Centre (Class D1(a)).
- 1.15 In 2005, planning permission (Ref: 2005/00060/FUL) was granted for the use for the provision of education.

2. PUBLICITY AND CONSULTATION

Pre-Application Engagement

- 2.1 In accordance with the National Planning Policy Framework (NPPF), the applicant undertook pre-application advice with the Local Planning Authority. A pre-application response letter was issued in April 2024. The officers advised that the scheme was acceptable subject to further information regarding marketing for alternative uses and that a s106 financial contribution would be sought to mitigate harm.

Application Stage

- 2.2 The application was publicised by way of site and press notices. Notification letters were also sent to 64 neighbouring addresses. In response, no public representations have been received.
- 2.3 The Metropolitan Police Secure by Design Team advised that further information is required to complete their review. A condition has been attached to secure this.
- 2.4 Thames Water have raised no objections subject to informatives and conditions regarding surface water and foul water.

3. 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 legislation 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' (2018) and the 'Climate Change' (2023) Supplementary Planning Documents (hereafter referred to as 'Planning Guidance' and Climate Change' SPDs). Other strategic and local supplementary planning guidance and other documents from the Council and the Greater London Authority/Mayor of London are also material to the determination of the application.

National Planning Policy Framework (2024)

- 3.4 The National Planning Policy Framework - NPPF (as updated December 2024) 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 (2021)

- 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 proposed development has been assessed in line with the policies set out in the London Plan. The London Plan is supported by guidance, which provides further information about how the London Plan Policies should be implemented in the form of Supplementary Planning Guidance ('SPG') documents which have also been considered in determining this application.

The Local Plan (2018)

- 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' (February 2018) and 'Climate Change' (October 2023) Supplementary Planning Documents (SPDs) are also material considerations. These provide supplementary detail to the policies and are organised around key principles.
- 3.8 With regard to this application, all planning policies in the National Planning Policy Framework (NPPF, 2023), London Plan (2021), Local Plan (2018), and Supplementary Planning Guidance (SPG)/Supplementary Planning Documents (SPDs) 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 the 'Planning Guidance' SPD) include:
- land use;
 - quality of accommodation;
 - design, character and heritage;
 - neighbouring amenity;
 - transport and highways;
 - environmental considerations and;
 - planning obligations.

4. LAND USE

Community Use (Loss of School Use)

- 4.1 London Plan Policy S1 (G) (Developing London's social infrastructure) states that redundant social infrastructure should be considered for full or partial use as other forms of social infrastructure before alternative developments are considered, unless this loss is part of a wider public service transformation plan. Similarly, London Plan Policy S3(C) (Education and childcare facilities) requires that development proposals should ensure that there is no net loss of education or childcare facilities, unless it can be demonstrated that there is no ongoing or future need.
- 4.2 Policy CF1(6) of the Local Plan which also seek to protect existing community facilities in the borough unless there is clear evidence that there is no longer an identified need for a particular facility or service, or where that facility or service can be appropriately replaced or provided elsewhere in the locality. Local Plan Policy CF2 makes clear that where a community use is being lost the Council will

require a viability report demonstrating that the facility or an alternative community use is not economically viable, including evidence of active and appropriate marketing for a continuous period of at least 12 months.

- 4.3 The lawful use of the site is for educational purposes (Class F1). However, the building has not been used as a school annexe since around 2021. The site was not originally built as a school, rather it was subject to a change of use from an office use (ref 2005/00060/FUL). When permission was granted for the change of use, the lack of open space/ play areas normally associated with a school was acknowledged as physical site constraint. In this case, it was considered acceptable on the basis that the building had been vacant since 2001 and had been unsuccessfully marketed since that time. Detailed evidence of the nature, extent and results of the marketing were submitted in support of the application (which also included the refurbishment of the building). At that time the development plan allowed for other "non-residential uses that provide significant employment" in certain circumstances, and the proposals were considered to meet those criteria. The officer report sets out problems letting the building over the previous 4 years and concluded that there was no evidence to suggest that this situation would change in the near future. It was considered that the proposed education use would generate a significant level of employment.
- 4.4 The property has been vacant since 2020. Prior to the grant of planning permission in July 2022 (ref No.2022/00090/FUL) for a change of use from a school (Class F1(a) to a Day Nursery Use Class E(f) the prospective tenant withdrew their interest and the applicant subsequently continued to market the property for that purpose in addition to a school use. Similarly, when planning permission (Ref: 2022/02379/FUL) in October 2022 for a change of use from a school use (Class F1(a)) to a Medical or Health Service Use (Class E(e)), the submitted marketing information demonstrated that the property had been marketed for use as a school since August 2020 and had attracted no interest for that purpose".
- 4.5 The current application includes additional marketing information which shows that the whole property has been fully marketed for an extensive period to for alternative, educational, office, medical and day nursery uses and there has been little interest with no progression in all cases.

Officers consider that the applicant has provided sufficient evidence to demonstrate that the loss of the community use in this case is acceptable as there is no longer a demand for its use.

- 4.6 The proposals would accord with London Plan Policies S1 and S3 and Local Plan Policies CF1 and Policy CF2.

Proposed commercial use (ground and basement)

- 4.7 Local Plan Policy E2 states that the Council will require the retention of land and premises capable of providing continued accommodation for employment or local services.
- 4.8 The marketing evidence suggests that a commercial use is viable at ground floor and this would maintain an active frontage. The proposed mixed use with commercial at ground and basement floors (Class E) is considered acceptable as it would introduce an active frontage.
- 4.9 Overall, the proposals accord with Local Plan Policy E2.

Residential (C3) Use

- 4.10 Section 5 of the NPPF (Delivering a sufficient supply of homes) requires local planning authorities to significantly boost the supply of housing. The need for housing is also recognised in Policy H1 of the London Plan. 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 Plan Policy H1, Table 4.1.
- 4.11 The proposed development would contribute a net addition of 7 self-contained residential units and would meet an identified housing need.
- 4.12 Overall, the development would accord with London Plan Policy H1 and Local Plan Policy HO1.

Housing Mix

- 4.13 Policy HO5 of the Local Plan requires a mix of housing types and sizes in development schemes, especially increasing the proportion of family accommodation.
- 4.14 The proposed development would comprise 7 units (6 x 2-bed and 1 x 1-bed unit). In this case, the mix is considered appropriate due to the close proximity of this physically constrained site to Fulham Town Centre, where a higher proportion of smaller non-family sized units is acceptable.
- 4.15 The proposed housing mix would accord with Policy HO5 of the Local Plan.

Conclusion on Land Use

- 4.16 Overall, it is considered that there is sufficient justification to allow a change of use to a mixed use residential led development with commercial at ground floor and basement. This underutilised site has been vacant for several years and marketing for alternative uses has proved unsuccessful; the site is not ideal location as a school

use due to its physical constraints which do not include any outside play areas. The proposed uses would activate this redundant site with an active frontage at ground floor and contribute to the Bourgh's need for increased housing supply.

- 4.17 The proposed development therefore complies with Policies S1, S3 and H1 of the London Plan and Policies CF1, CF2, E2, HO1 and HO5 of the Local Plan.

5. QUALITY OF ACCOMMODATION

Space Standards

- 5.1 London Plan Policy D6 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 Policy D6 of the London Plan also sets the minimum Gross Internal Area (GIA / floorspace) in line with the Technical Housing Standards - Nationally Described Space Standard (NDSS) for new dwellings. The proposals include the following unit sizes:
- Apt 1.01, 2B / 4P:1 storey approx. 70sqm GIA (complies,70 sqm min)
 - Apt 1.02, 2B / 3P:1 storey, approx. 62.3sqm GIA (complies, 61sqm min)
 - Apt 2.01: 2B / 4P: 1 storey, approx. 70sqm GIA (complies, 70sqm min)
 - Apt 2.02, 2B / 3P: 1 storey, approx. 62.3sqm GIA (complies, 61sqm min)
 - Apt 3.01, 2B / 4P:1 storey, approx. 70sqm GIA (complies, 70sqm min)
 - Apt 3.02, 1B / 2P: 1 storey, approx. 60.2sqm GIA (complies. 50sqm min)
 - Apt 4.01, 2B / 3P: 1 storey, approx. 61.5sqm GIA (complies,61sqm min)
- 5.3 All the proposed units would meet and exceed their minimum GIA/floorspace requirement as set out in London Plan, the NDSS and Key Principle HS2 of the 'Planning Guidance' SPD. The development is also compliant with the Technical Housing Standards in terms of minimum room sizes, storage space and floor-to-ceiling heights.
- 5.4 Regarding external amenity space, Policy D6 of the London Plan requires a private space of at least 5sqm (plus an extra 1sqm per additional occupiers) which is at least 1.5m deep. Each flat would benefit from a balcony proposed at the rear elevation and they would range between a size of 7.7sqm to 9sqm. The proposed self-contained flats would meet the required standards for private external amenity space.

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 the proposed units would be dual aspects with a north/south orientation and benefit from a number of openings of adequate scale to allow sufficient level of daylight internally and provide adequate levels of outlook, especially in the habitable rooms. The units would also have a mainly open plan layout in the kitchen/dining/living space maximising the daylight distribution within the main habitable spaces.

Noise and Disturbance

- 5.7 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."
- 5.8 The application has been reviewed by the Council's Environmental Protection Team who raised no objection, subject to conditions to include adequate noise mitigation measures and separation between commercial and residential uses, prevent undue nuisance and ensure that the commercial use includes adequate installations for noise abatement.

Accessibility

- 5.9 London Plan Policy D7 states that 90% of new housing should meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings' and 10% of new dwellings should meet Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e., designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users.
- 5.10 The proposed development includes a fully wheelchair accessible unit (Apt 3.02) on the third floor and the building would be served by a lift facility. The remaining 6 units would meet the M4(2) standards which is also a positive approach in this case.
- 5.11 The proposals accord with London Plan Policy D7.

Conclusion on Quality of Accommodation

- 5.12 Overall, it is considered that subject to conditions the proposed scheme would provide suitable standards of accommodation as housing units within the borough. This would accord with Local Plan Policies HO4 and HO11, London

Plan Policies D6 and D7, the Mayor's Housing Design Standards LPG and the Nationally Described Space Standards (Technical Housing Standard).

6. DESIGN AND HERITAGE

- 6.1 The NPPF 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.
- 6.3 Local Plan 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 DC4 of the Local Plan 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, neighbouring properties and their setting;
 - successfully integrated into the architectural design of the existing building; and
 - subservient and should never dominate the parent building in bulk, scale, materials or design.
- 6.5 Policy DC8 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.
- 6.6 Where a proposal would result in harm to the significance of a designated heritage asset it should be identified whether the harm is substantial or less than substantial. If the harm is substantial, the proposed development should be considered in respect of para. 214 of the NPPF and if the harm is less than substantial, the development should be considered in respect of para. 215 of the NPPF, harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. In terms of harm to non-designated heritage assets, paragraph 216 of the NPPF, advises that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

- 6.7 There is a duty imposed by Sections 66 and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Section 66(1) of the Act states that when considering whether to grant planning permission for development which affects a listed building or its setting, the LPA 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. Section 72 of the above Act states in relation to conservation areas that: 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'
- 6.8 The Council's 'Planning Guidance' Supplementary Planning Document (2018) is also relevant, in particular Key Principle BM2 covers proposals affecting locally listed Buildings of Merits and states that development will not be permitted if it would result in the demolition, loss or harmful alteration to buildings, structures and artifacts that are of local townscape, architectural or historic interest, including all buildings identified on the council's Register of Buildings of Merit. Key Principles AH1 (Information Requirements for applications for consent affecting heritage assets), AH2 (Protection of Heritage Assets), CAG1 (Land Use in Conservation Areas) and CAG2 (Urban Design in Conservation Areas) are also applicable in this case. 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.
- 6.9 The site lies on the northern edge of Moore Park Conservation Area and the CA character profile states that the character of the Conservation Area is derived in part from the groups of terraces and set piece developments and their uniform appearance and form. Alterations to buildings can have a particularly damaging effect on this, destroying the homogeneity. The massing and rhythm of the buildings within a street is a key element in defining its character. Extensions and alterations to properties should not visibly affect their scale, rhythm and massing when seen from the street or any public space and should not be excessive additions to the properties.
- 6.10 The development would also affect the setting of adjacent heritage assets, with the neighbouring building 525 – 531 Fulham Road being a locally listed, (Building of Merit) and the development opposite, is a Grade II Listed Building the Sir Oswald Stoll Foundation southern block, gates, gate piers, wing walls and railings facing Fulham Road. The Historic England Listing Entry explains the listing is for its architectural interest in the revived English Baroque style of Christopher Wren and also its historic interest as the building is a testament to the desire to house and care for servicemen after the First World War and was

founded as a result of the charity of many individuals and institutions across England.

- 6.11 The proposals make limited changes to the frontage of the building, retaining its character and architectural detailing. Most of the changes to enable the change of use to residential include the removal of an existing large, projecting metal staircase at the rear which connects the ground floor to the fourth floor of the building, this staircase is located at the western rear corner of the site, to the side of an original rear projection of the same height.
- 6.12 The proposed rear extension would replace the existing, projecting staircase and it is designed with an undercroft beneath, at the ground floor would include a void with the extension above supported by two pillars. The extension would infill this area at upper floors, respecting the building line of the existing rear offshoot. At floors 1 to 3 this would creating additional internal space of approx. 10sqm to each unit, and at upper floor, this would provide an external roof terrace, enclosed by tile hung, pitched roof detailing with emulate the pitch of the existing roofscape.
- 6.13 The proposed structure would have some visibility in surrounding views along Fulham Road, however given the detailing of the proposal, complementing the host property, this is considered to be beneficial when considered in comparison to the canopy of the current external stairwell; which is highly visible and incongruous in these views.
- 6.14 It is further proposed to install bolt-on metal balconies/terraces at first, second and third floor levels to both the rear façade of the building and the façade of the rear offshoot. These would be stacked vertically and supported by metal posts from the ground level. Each balcony is designed with vertical metal balustrades to be painted black, creating a coherent appearance across the rear façade. The balconies are modest in depth, well-proportioned and sensitively stacked in a uniform arrangement without overwhelming the rear elevation of the building. More broadly, the proposed balconies would constitute visually recessive and subtle additions which do not compete with the historic brickwork on the elevation.
- 6.15 Other minor alterations are proposed including the installation of 2no. air source heat pumps and these would be located within the rear yard on the ground floor rear elevation wall-mounted at approx. 2.7m high. A metal door, decking, balustrade, steps, cycle gutter, and roller shutter are also to be included around the same location to the rear ground floor elevation. Given the discreet location at the rear, there would be only neutral impacts from these aspects of the proposals.

- 6.16 At the front elevation, it is proposed to create a new residential entrance along with the erection 1.8m high security gate in connection with the formation of a gated side access for cycle parking, cycle and bin stores at ground floor level. The new residential entrance would involve altering part of the glazing on commercial frontage by changing the glass panels to include a glazed door. This would be somewhat similar to the existing entrance and therefore maintain consistency and cohesiveness along the front elevation. The new gate although slightly higher than normally recommended at the front, would not create a strong and defensive character, given there have been something of a similar height in this location for some time now and this part of the streetscene is not characterised by noticeable gaps between buildings.
- 6.17 Given the modest scale and situation of the proposals to the rear of site, officers consider that the scheme would have no impact upon the setting of the Grade II Listed, Sir Oswald Stoll Foundation southern block, and would result in minor beneficial changes to the setting of the adjacent locally listed, (building of merit), through removal of a visually distracting element within views of this building along Fulham Road. Similarly, the proposals are considered to not have any harmful impacts and would preserve the character and appearance of the Moore Park Conservation Area.

Conclusion on Design, Character and Heritage

- 6.18 Overall, the proposed development would have limited impact upon the character of the host building and its façade fronting Fulham Road, the extensions and other alterations to facilitate residential use of the site, are largely located to the rear of the development, and would have limited impacts overall.
- 6.19 As such, the proposed development would not impact upon the character and appearance of the Moore Park Conservation Area and would not result in harm to the setting of adjacent heritage assets including the Grade II Listed Building, Sir Oswald Stoll Foundation southern block, and the adjacent locally listed, (building of merit) 525-531 Fulham Road. The proposed development is considered acceptable with due consideration of s66 and s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and would be in accordance with the NPPF (2024), London Plan (2021) and Local Plan (2018) Policies DC1, DC4 and DC8

7. NEIGHBOUR AMENITY

- 7.1 Policies DC1, DC4, CC11, CC13 and HO11 of the Local Plan require all proposals to be formulated to respect the principles of good neighbourliness. The 'Planning Guidance' SPD Housing Key Principles HS6 and HS7 seek to protect the existing amenities of neighbouring residential properties in terms of outlook, light, privacy and noise and disturbance.

- 7.2 Policy DC4 requires development to be designed to respect residential amenity and to demonstrate good neighbourliness. This is expanded on within the 'Planning Guidance' SPD. Key Principles HS6 and HS7 of the 'Planning Guidance' SPD seek to protect the existing amenities of neighbouring residential properties, in terms of outlook, light, and privacy.
- 7.3 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.
- 7.4 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.
- 7.5 The closest residential properties are at No.515 Fulham Road, 73-77 Fulham Road, 525-527 Fulham Road and the Oswald Stall buildings.
- 7.6 To east No.515 Fulham Road is a three-storey building which includes a Public House at ground floor and residential on the upper floors. There are no habitable rooms windows in the flank elevation of that property facing the site. Also, the windows in the main rear elevation of No.515 would be at an oblique angle and are positioned some 18m from the proposed rear extensions on the application site.
- 7.7 To the south, Nos. 73 – 77 Britannia Road is a two-storey building comprising flats. Notably, the opposing rear elevation does not include any windows.
- 7.8 To the west, lies 525-527 Fulham Road, a three-storey building in residential use as flats. That building follows a similar front and rear building line to application site, and there are no windows in its opposing flank elevation and the windows to the rear are positioned at an oblique angle and do not face the application site. Beyond this, is a four-storey commercial office building at No.7 Waterford Road.
- 7.9 To the north, on the opposite of Fulham Road is Oswald Stall Mansions, a 4-storey flatted development in residential use. The opposing front elevation of that property is some 30m from the application site.

Daylight and Sunlight

- 7.10 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. 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.

- 7.11 Policy DC1 (Built Environment) require development to be well designed and respect of the principles of good neighbourliness. Policy DC4 requires development to be designed to respect residential amenity and to demonstrate good neighbourliness. This is expanded on within the 'Planning Guidance' SPD. 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.
- 7.12 Although, no daylight and sunlight assessment has been submitted with the application. Officers have carried out their own assessment. There are no habitable windows to the east or south and the to the north the opposing windows are some 30m away.
- 7.13 The proposed three storey rear extension would be sited to the rear of the existing building on its south-west corner of the existing building. This extension would be adjacent to the rear and side elevations of Nos.525-527 Fulham Road which lies to the immediately west.
- 7.14 The BRE (Building Research Establishment) includes a 45-degree rule, to assess the potential impact of a new development on neighbouring properties. This involves drawing a 45-degree angle from the centre of a neighbouring window, and if the new development extends beyond that line, it may be deemed to adversely affect daylighting. In this case, the closest property to the proposed 3m deep extension to the rear of the application property is at No.525-527 Fulham Road. That property includes a flat at second floor which has patio doors that serve habitable rooms; however, those patio doors are positioned are positioned 50-degrees from the proposed third and fourth floor of the proposed extension. The existing patio doors fall outside of the minimum 45-degrees recommended in the BRE guidance. Officers consider that the proposed extension at 3m deep is modest and it's siting at an oblique angle away from the top floor flat at No.525-527 would not result in any undue impact in terms of daylight and sunlight.

Conclusion on Daylight and Sunlight

- 7.15 Based on the site-specific context the proposals would not cause any noticeable undue daylight and sunlight to the residential properties.
- 7.15a The proposals would accord with London Plan D6, Local Plan Policies HO11, DC1 and DC4.

Outlook and Sense of Enclosure

- 7.16 The 'Planning Guidance' SPD Housing Key Principle HS6 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 drawn at an angle of 45 degrees from a point 2m 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 9m in length, this line should be measured at 45 degrees from the 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 an on-site judgement will be a determining factor in assessing the effect which the proposed development will have on the amenity of occupiers at neighbouring properties.
- 7.17 The proposed three storey rear extension would be sited to the rear of the existing building on its south-west corner of the existing building. In this case, there are no habitable windows to the east or south and to the north the opposing windows are some 30m away. This closest property to the extension, is the second floor flat Nos.525-527 Fulham Road which lies some 3m to the west; there are no windows in the opposing side elevation of that property and the windows in the rear of that property would be at an oblique angle. The proposed extension would not breach the 45 degree rule under Key Principle HS6.
- 7.18 The proposals do result in an acceptable outlook and sense of enclosure and accord with Policy HO11 and SPD Policy HS6.

Conclusion on Outlook and Sense of Enclosure

- 7.19 Overall, the proposed development would fall within acceptable limits in terms of outlook and sense of enclosure on neighbouring properties in accordance with Key Principles HS6.

Privacy

- 7.20 The 'Planning Guidance' SPD Key Principle HS7(iii) requires that any new windows should be positioned at least 18m 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.
- 7.21 No new windows would be positioned within 18m from existing habitable room windows as measured from an arc of 60 degrees.

Conclusion on Privacy

- 7.22 The proposal accords with Policy HO11 and Key Principle HS7 of the Planning Guidance SPD.

Noise

- 7.23 London Plan Policy D14 states in order to reduce, manage and mitigate noise to improve health and quality of life, development proposals should manage noise by avoiding significant adverse noise impacts on health and quality of life.
- 7.24 Local Plan Policy CC11 states that noise-generating development will not be permitted if it would be liable to materially increase the noise experienced by the occupants of existing noise-sensitive uses in the vicinity. Policy CC13 states that the Council will, where appropriate require mitigation measures if a nuisance (such as smoke, smell, or noise) would be likely to occur.
- 7.25 For developments that have the potential to increase noise or vibration levels Planning Guidance SPD Key Principle NN1 requires the submission of a noise and/or vibration survey and report. SPD Key Principle NN4 requires all noise generating uses, including plant, machinery and equipment, will be subject to requirements to minimise noise to relevant criteria in order to protect residential and other noise sensitive amenity.
- 7.26 Key Principle HS8 of the 'Planning Guidance' SPD requires all residential roof terraces to be limited to no more than 15sqm so as to restrict the way it is used in terms of number of people who can use it and the activities it can be used for.
- 7.27 The proposed roof terraces would have a size of less than 15sqm (8sqm and 9 sqm respectively) which would limit the amount of people that can congregate on them and limit potential adverse noise impact on sensitive residential receptors.
- 7.28 Regarding noise during the construction phase, conditions would be attached to secure the submission of details for management plans, to control and limit potential nuisance during this phase.
- 7.29 The Council's Environmental Protection Team have considered the proposals and have recommended that various conditions be attached to ensure that the living environment for future residential occupiers are safeguarded through appropriate mitigation. Subject to these conditions the proposals are considered satisfactory.

Conclusion on Noise

- 7.30 It is considered that the proposed development would not result in any undue noise impact on residential occupiers subject to conditions. The development accords with Local Plan Policies CC11 and CC13, as well as Key Principle HS8 'Planning Guidance' SPD.

General Conclusion on Neighbouring Amenity

- 7.31 Overall, the proposed development would respect the principles of good neighbourliness and maintain an acceptable relationship with the neighbouring residential properties. Subject to conditions, the proposed scheme would not have an unacceptably harmful impact on neighbouring residential amenity in terms of daylight/sunlight, outlook, privacy, noise and disturbance. In this regard, the proposed development complies with Policies DC1, DC4, HO11, CC11 and CC13, and relevant housing and amenity Key Principles of the 'Planning Guidance' SPD (2018).

8. TRANSPORT AND HIGHWAYS

- 8.1 Paragraph 115 of the NPPF states that in assessing applications for development, it should be ensured that sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location and that safe and suitable access to the site can be achieved for all users.
- 8.2 Paragraph 116 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios. 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.
- 8.3 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'.
- 8.4 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.

- 8.5 The above policies are supported by Key Principles TR1, TR4, TR7, TR21 and TR27 of the 'Planning Guidance' SPD. 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 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 rating is 2 or lower (TfL's public transport accessibility level). Policy T6 of the London Plan states that car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport.
- 8.7 The site has a PTAL rating of 6a meaning it has excellent access to public transport options. Therefore, to avoid exacerbating existing levels of parking stress and congestion, and to help with air quality improvement from vehicle emissions, officers consider that car parking permit restrictions for future occupants of all the proposed residential units would be required. This will be secured by a legal agreement to prevent parking permits eligibility within all of the borough's Controlled Parking Zones for all future residents of the proposed development, except those in possession of a blue badge for disabled parking.

Cycle Parking

- 8.8 Policy T1 of the Local Plan 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 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 submitted Transport Statement and plans indicate where the cycle storage facilities would be located externally within dedicated storage space internally and externally on the ground floor for residential and commercial use, as well as for visitors. The proposals are acceptable subject to details regarding secure, sheltered and accessible provision. These details will be secured via condition to ensure that proposed cycle parking/storage accords with requirements in the London Plan.

Refuse, Recycling and Servicing

- 8.10 The submitted drawings and Transport Statement address the requirements for refuse and recycling storage and servicing arrangements. Adequately sized refuse storage would be provided on site in dedicated stores and no resident would have to walk more than the recommended distance of 25m to carry their waste. A separate refuse area has been designated for waste from the commercial use away from the residential use. Delivery and servicing vehicles can access the site through the access from Fulham Road. These arrangements are considered acceptable and would be secured by condition.

Construction Logistics/Management Plan (CLP)

- 8.11 In order to assess and minimise the impact of the construction of the proposed development on the local highway network, the submission of a Construction Logistics Plan is required to include 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 transfer of mud and dirt onto the highway/footway. The CLP would also cover other matters relating to traffic management to be agreed with the Network Management and the Permit Coordinators of the Council. Subject to a condition securing a detailed CLP, officers consider that the proposals would not unduly impact the nearby highway network during the construction phase.

Conclusion on Transport and Highways

- 8.12 Overall, there are no objections to the proposed development from a transport and highways perspective. Therefore, subject to the outlined conditions, the scheme would accord with the relevant transport policies of the London Plan and the Local Plan.

9. ENVIRONMENTAL CONSIDERATIONS

Flood Risk / Sustainable Drainage (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 surfacing should normally be resisted unless they

can be shown to be unavoidable 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 lies within a Flood Risk Zone 3; however, all the proposed residential units would be on the upper floors and there are no alterations to the existing basement which is for a commercial use and therefore considered as a less vulnerable use. There are also very limited opportunities for sustainable drainage (SuDS) measures on site as the site is densely built and fully covered in hard surfacing. Hence, a Flood Risk Assessment is not strictly required in this case. However, informatives on water efficiency and low scale SuDS measures will be attached.

Ecology

- 9.5 Local Plan Policy OS4 states that nature conservation areas and green corridors identified on the Policies Map (and shown on Map 7 and listed in Appendix 4) will be protected from development likely to cause demonstrable harm to their ecological (habitats and species) value.
- 9.6 The Council's Ecology Team have reviewed the application and stated that the proposed works are predicted to have a negligible impact on wildlife. In the event that any bat, bat roost or bird nest is suspected or discovered during works, then works must immediately cease and a licensed ecologist must be consulted. An informative would be attached to the permission.

Air Quality

- 9.7 NPPF (2024) Paragraph 199 relates to air quality, and states planning decisions should ensure that any new development in Air Quality Management Areas (AQMA) is consistent with the local air quality action plan. The councils Air Quality Action Plan 2025-2030 was approved and adopted by the council on the 16th of December 2024.
- 9.8 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.

- 9.9 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.
- 9.10 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. A borough wide Air Quality Management Area is in place within the borough.
- 9.11 The Council's Air Quality Team were consulted on this application and raised no objection, subject to conditions to secure Ventilation Strategy, Indoor Air Quality, Zero Emission Heating, Waste Water Heat Recovery System and an Ultra Low Emission Strategy. Where reasonable and appropriate, these conditions would be applied to the permission. However, given the proposals would largely use the existing building as it is, save for the extension which is considered only a modest addition. In this case not all of these conditions are reasonable and only a ventilation strategy condition for the front windows (given they face a busy road) and a condition for new heating systems for the proposed flats can be justified for the residential use and the Ultra Low Emission Strategy for the commercial use.

Sustainability and Climate Change

- 9.12 London Plan Policy SI 2 seeks to extend the extant requirement on residential development to non-residential development to meet zero carbon targets. It maintains the expectation that a minimum reduction of 35% beyond Building Regulations to be met on site (10% or 15% of which should be achieved through energy efficiency for residential development, and non-residential development). Where it is clearly demonstrated that the zero-carbon target cannot be met on site, the shortfall should be provided through a cash in lieu contribution to the borough's carbon offset fund, or off-site provided an alternative proposal has been identified and delivery is certain.
- 9.13 London Plan Policy SI 4 seeks to minimise internal heat gain and the impacts of urban heat island effect through design, layout, orientation and materials. An energy strategy should demonstrate how development proposals will reduce potential for overheating and reliance on air conditioning systems in accordance with a hierarchy that prioritises the minimisation of internal heat generation through energy efficient design and reductions to the amount of heat entering a building.
- 9.14 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. Policy CC2 seeks to ensure the implementation of sustainable design and construction measures by implementing the London Plan sustainable design and construction policies. These are supported by Key Principles set out in the Energy and Sustainable Design Construction Chapters of the Planning Guidance SPD.

- 9.15 The proposals largely involve the re-purposing of an existing vacant and underused building (725 sqm); the proposed extensions (approximately 40 sqm GIA) represent a modest 0.6% increase in additional floorspace. Repurposing existing buildings is a key strategy in tackling climate change, as it reduces the need for new construction and minimizes associated carbon emissions. The existing buildings can be retrofitted with energy-efficient technologies like insulation, updated heating and cooling systems, and smart building controls to reduce their energy consumption and carbon footprint.
- 9.16 The application submissions note that the proposed development has considered the inclusion of sustainability measures such as energy (including air source heat pumps) and water efficiently improvements where feasible. The proposals include the installation of 2 new Air Source Heat Pumps (ASHP), to serve the main building; these will help to reduce CO2 emissions for the site. The implementation of the measures would be secured by condition.
- 9.17 The proposals are considered acceptable in this case and accord with the London Plan Policies SI 2 and SI 4, and Local Plan Policies CC1 and CC2.

10. COMMUNITY INFRASTRUCTURE LEVY / PLANNING OBLIGATIONS

Mayoral and Local CIL

- 10.1 In this case, the proposed development would be liable to pay Community Infrastructure Levy (CIL) at both the mayoral and borough levels. The Mayoral CIL (MCIL2) rates are applicable to all planning permissions granted from 1 April 2019. The Mayor expects 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 £75,280 (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 formally took effect from 1st September 2015. This

development is liable for an estimated Borough CIL of approximately £280,400 (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 which are the Community Infrastructure Levy (CIL) and Section 106 Agreements.
- 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 reasonably commensurate the scale and type of development proposed. 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 and impacts 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 can result in the need to make minor modifications to the conditions and obligations (which may include 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) Restriction of on-street car parking permit in borough CPZs save for blue badge holders (disabled parking);
- 2) Secure a £100,000 financial contribution towards public realm improvements, community safety measures local employment, training and local businesses including
 - To support delivery of Upstream London, the Council's Industrial Strategy for inclusive economic growth (or any successor to it), including to support employment, skills and local procurement activities.
- 3) A commitment to meet the costs of the Council's associated legal fees.

11. 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 relevant guidance.
- 11.3 In summary, the proposals would contribute toward an identified housing need and local housing target by optimising an existing site capacity, that would maintain an existing commercial use which provides local employment which helps to mitigate the loss of community space. This is supported in principle.
- 11.4 The proposed development is acceptable in visual terms and is considered to be of a good quality of design which would not adversely impact upon the host Building of Merit, the Conservation Area and adjacent Listed Building. Subject to conditions, the proposals would not result in unacceptable impacts upon the amenities of neighbouring residential properties. Highways, transportation and environmental matters 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 (2024), the London Plan (2021), the Local Plan (2018) and the relevant Key Principles within the 'Planning Guidance' (2018) Supplementary Planning Document.
- 11.5 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.

11.6 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. RECOMMENDATION

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