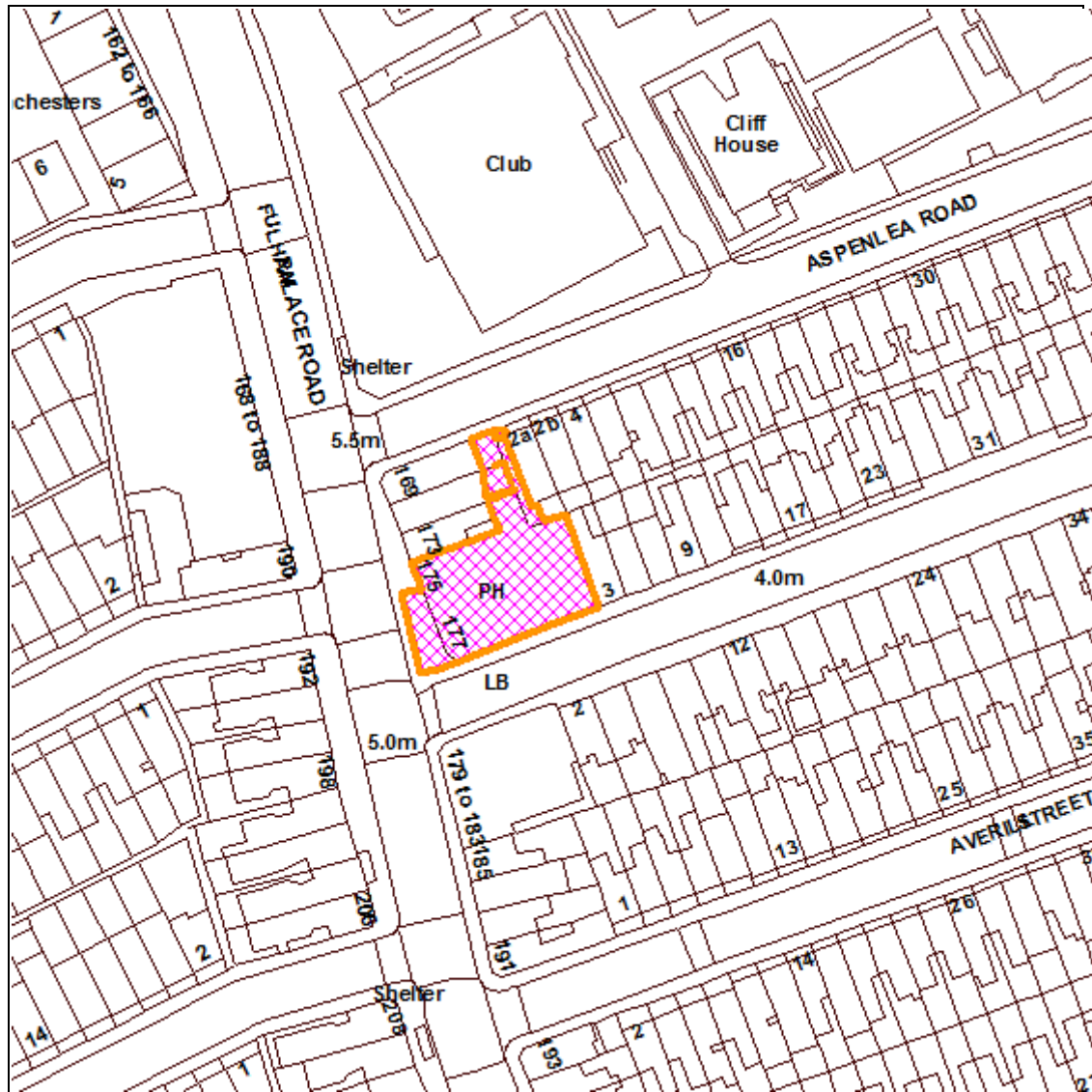


**Ward:** Fulham Reach

**Site Address:**

Southern Bell 175 - 177 Fulham Palace Road London W6 8QT



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

**Reg. No:**

2018/02955/FUL

**Case Officer:**

Daniel Allen

**Date Valid:**

07.09.2018

**Conservation Area:**

**Committee Date:**

11.12.2018

**Applicant:**

Parsons Green Land Ltd  
C/o Agent

**Description:**

Demolition and redevelopment of part of existing single storey building to the rear (A4 use), erection of a four storey building fronting Greyhound Road (including retention of existing basement) and a single storey building fronting Aspenlea Road to provide 7no. residential units (C3 use), together with cycle parking and refuse store; installation of new and replacement plant; retention of 486 sqm of A4 use at ground and lower ground floor level.

Drg Nos: 0344\_000\_OS; FLOOD RISK ASSESSMENT (1954/RE/11-17/01 REVISION A); received 06/09/2018. 0344\_101\_PP\_B1 Rev P6; 0344\_102\_PP\_00 Rev P7; 0344\_103\_PP\_01 Rev P5; 0344\_104\_PP\_02 Rev P5; 0344\_105\_PP\_03 Rev P4; 0344\_106\_PS\_AA Rev P4; 0344\_107\_PS\_BB Rev P4; 0344\_108\_PS\_CC Rev P5; 0344\_109\_PS\_DD Rev P2; 0344\_110\_PE\_FE Rev P5; 0344\_111\_PE\_RE Rev P4; 0344\_112\_PP\_00 Rev P5; 0344\_113\_PP\_B1 Rev P4; received 30/10/2018.

**Application Type:**

Full Detailed Planning Application

**Officer Recommendation:**

That the Committee resolve that the Strategic Director, Growth and Place, be authorised to determine the application and grant permission subject to the condition(s) listed below:

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

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

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

- 2) The development shall be carried out and completed only in accordance with the following drawings and details hereby approved: 0344\_000\_OS; 0344\_101\_PP\_B1 Rev P6; 0344\_102\_PP\_00 Rev P7; 0344\_103\_PP\_01 Rev P5; 0344\_104\_PP\_02 Rev P5; 0344\_105\_PP\_03 Rev P4; 0344\_106\_PS\_AA Rev P4; 0344\_107\_PS\_BB Rev P4; 0344\_108\_PS\_CC Rev P5; 0344\_109\_PS\_DD Rev P2; 0344\_110\_PE\_FE Rev P5; 0344\_111\_PE\_RE Rev P4; 0344\_112\_PP\_00 Rev P5; 0344\_113\_PP\_B1 Rev P4.

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

- 3) Notwithstanding the details specified on the drawings hereby approved, prior to commencement of above ground works in the development (save for works of site clearance and demolition of existing buildings), detailed drawings (scale no less than 1:20) and samples of materials as appropriate shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details as approved and thereafter permanently retained in this form. Details and samples shall include the following:

- (A) Drawings of typical bays in elevations and sections, including fenestration, entrances, soffits and balustrades (at a scale of not less than 1:20);
- (B) Section and plan drawings of the green roof and other roof installations;
- (C) Samples of brickwork;
- (D) Samples of all other external materials including roof surfaces, stone, render, concrete, windows and entrances;
- (E) Drawings, specifications and samples as appropriate of external hard surfacing including paving, boundary walls, gates, and other means of enclosure.

In order that the Council may be satisfied as to the details of the development in the interests of visual amenity of the area in accordance with Policies DC1, DC2, and DC4 of the Local Plan 2018.

- 4) Prior to commencement of above ground works in the development (save for works of site clearance and demolition of existing buildings), details and a sample of the 1.7m high obscure glazed screens as measured from the floor level of the terraces at first and second floor level shall have been submitted to, and approved in writing by, the Local Planning Authority. The use of the terraces shall not commence until the glazing, as approved, has been installed and it shall be permanently retained as such thereafter.

In order to preserve the amenities of occupiers of the development and neighbouring properties in accordance with Policy HO11 of the Local Plan (2018), and Key Principle HS8 of the Planning Guidance SPD (2018).

- 5) Prior to occupation of the development hereby approved, an agreement under Section 278 of the Highways Act 1980 shall be entered into with the Council to re-instate the dropped kerb/crossover serving the site from Aspenlea Road to footway, and re-instate the parking bay/s, in line with the Council's Streetsmart standards.

To ensure safe and accessible pedestrian access and a satisfactory standard of appearance and to maintain pedestrian and highway safety, in accordance with Policy T1 of the Local Plan (2018).

- 6) Notwithstanding the submitted details, 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 and Construction Management Plan.

Details shall include control measures for dust, noise, vibration, lighting, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800-1300hrs on Saturdays, advance notification to neighbours and other interested parties of proposed works and public display of contact details including accessible phone

contact to persons responsible for the site works for the duration of the works. The approved details shall be implemented throughout the project period.

(ii) A Construction Logistics Plan:

The details shall also include the numbers, size and routes of demolition and construction vehicles, provisions to ensure that all vehicles associated with the demolition 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. Details shall be completed in accordance with Transport for London (TfL) requirements. This should seek to minimise the impact of demolition and construction traffic on nearby roads and restrict construction trips to off peak hours only. The approved details shall be implemented throughout the project period.

To ensure that demolition and construction works do not adversely impact on the operation of the public highway, and that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting, or other emissions from the building site, in accordance with Policies 5.18 and 7.14 of the London Plan (2016), Policies T1, T6, T7, CC10, CC11, CC12 and CC13 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD (2018).

- 7) No occupiers of the new residential units hereby approved, with the exception of disabled persons who are blue badge holders, shall apply to the Council for a parking permit or retain such a permit, and if such a permit is issued it shall be surrendered to the Council within seven days of receipt.

In the interests of the proper management of parking, and to ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on-street car parking stress in the area, in accordance with Policies T1 and T4 of the Local Plan (2018).

- 8) The new residential units hereby approved shall not be occupied until the Council has been notified in writing (and has acknowledged such notification) of the full postal address of the units. Such notification shall be to the Council's Head of Development Management and shall quote the planning application number specified in this decision letter.

In order that the Council can update its records to ensure that parking permits are not issued to the occupiers of the development hereby approved, and thus ensure the proper management of parking, and that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on-street car parking stress in the area, in accordance with Policies T1 and T4 of the Local Plan (2018).

- 9) The new residential units hereby permitted shall not be occupied until such time as a scheme has been submitted to and approved in writing by the Local Planning Authority to ensure that all occupiers, other than those with disabilities who are blue badge holders, have no entitlement to parking permits from the council and to ensure that occupiers are informed, prior to occupation, of such restriction. The development shall not be occupied otherwise than in accordance with the approved scheme unless prior written agreement is issued by the Council.

In order that the prospective occupiers of the residential units concerned are made aware of the fact that they will not be entitled to an on-street car parking permit, in the interests of the proper management of parking, and to ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on-street car parking stress in the area, in accordance with Policies T1 and T4 of the Local Plan (2018).

- 10) The development hereby approved shall not be occupied until cycle parking provision has been installed in accordance with the details of approved drawing 0334\_102\_PP\_00 Rev P7. The cycle provision shall be permanently retained thereafter in accordance with these details.

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

- 11) The development hereby approved shall not be occupied until the refuse storage provision has been installed in accordance with the details of approved drawing 0334\_102\_PP\_00 Rev P7. All refuse generated by the development hereby permitted shall be stored within these enclosures, which shall be permanently retained thereafter in accordance with these details.

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

- 12) Prior to the commencement of each of the demolition and construction phases of the development, an Air Quality Dust Management Plan (AQDMP) shall be submitted to and approved in writing by the Local Planning Authority. The AQDMP must include an Air Quality Dust Risk Assessment (AQDRA) that considers sensitive on-site and off-site receptors off-site of the development and is undertaken in compliance with the methodology contained within Chapter 4 of the Mayor of London 'The Control of Dust and Emissions during Construction and Demolition', SPG, July 2014 and the identified measures recommended for inclusion into the AQDMP. The AQDMP submitted must comply with the Mayor's SPG and should include: Inventory and Timetable of dust generating activities during demolition and construction; Site Specific Dust mitigation and Emission control measures in the table format as contained within Appendix 7 of Mayor's SPG including for on-road and off-road construction traffic; Detailed list of Non-Road Mobile Machinery (NRMM) used on the site. The NRMM should meet as minimum the Stage IV emission criteria of Directive 97/68/EC and its subsequent amendments. This will apply to both variable and constant speed engines for both NO<sub>x</sub> and PM. An inventory of all NRMM must be registered on the NRMM register <https://nrmm.london/user-nrmm/register>; Ultra Low Emission Vehicle Strategy (ULEVS) for the use of on-road Ultra Low Emission Vehicles in accordance with the emission hierarchy (1) Electric (2) Hybrid (Electric-Petrol) (3) Petrol, (4) Hybrid (Electric-Diesel) (5) Diesel (Euro VI HGV); Details of Air quality monitoring of PM<sub>10</sub> where appropriate and used to prevent levels exceeding predetermined Air Quality threshold trigger levels. Developers must ensure that on-site contractors follow best practicable means to minimise dust and emissions at all times. Approved details shall be fully implemented and permanently retained and maintained during the demolition and construction phases of the development.

To ensure that the amenity of occupiers of the development site and neighbouring occupiers is not adversely affected by poor air quality, in accordance with Policy 7.14 of the London Plan (2016), and Policy CC10 of the Local Plan (2018).

- 13) Prior to occupation of the development hereby approved, details of the Ultra-Low NOx Gas fired boilers to be provided for space heating and hot water, details must be submitted to and agreed in writing by the Local Planning Authority. The Ultra-Low NOx Gas fired boilers shall have dry NOx emissions not exceeding 30 mg/kWh (at 0% O<sub>2</sub>). Where any installations do not meet this emissions standard, it should not be operated without the fitting of suitable NOx abatement equipment or technology as determined by a specialist to ensure comparable emissions. Following installation, emissions certificates will need to be provided to the council to verify boiler emissions. The approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

To ensure that the amenity of occupiers of the development site and neighbouring occupiers is not adversely affected by poor air quality, in accordance with Policy 7.14 of the London Plan (2016), and Policy CC10 of the Local Plan (2018).

- 14) Prior to commencement of above grounds works of the development hereby approved (save for works of site clearance and demolition of existing buildings), a Ventilation Report for the Use Class C3 development shall be submitted to and approved in writing by the Local Planning Authority. The report shall demonstrate that these uses avoid areas of exceedance above the annual mean objective APEC-B (38ug/m<sup>3</sup>) criteria for NO<sub>2</sub> and include the following information:

- (A) Details of the air intake locations at roof level on the rear elevations
- (B) Design details and locations of openable windows of all habitable rooms (Bedrooms and Living Rooms)
- (C) Details of the independently tested mechanical ventilation system with NO<sub>x</sub>, PM<sub>2.5</sub>, PM<sub>10</sub> filtration for the C3 use. The NO<sub>2</sub> filtration system shall have a minimum efficiency of 90% in the removal of Nitrogen Oxides/Dioxides, PM<sub>2.5</sub> and PM<sub>10</sub> 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. Chimney/boiler flues and ventilation extracts shall be positioned a suitable distance away from ventilation intakes, openable windows, balconies, roof gardens, terraces and receptors. 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 ensure that the amenity of occupiers of the development site and neighbouring occupiers is not adversely affected by poor air quality, in accordance with Policy 7.14 of the London Plan (2016), and Policy CC10 of the Local Plan (2018).

- 15) Prior to occupation of the development hereby approved a Low Emission Strategy for the operational phase shall be submitted to and approved in writing by the Local Planning Authority. The Low Emission Strategy must detail the remedial action and mitigation measures that will be implemented to protect receptors (e.g.

abatement technology for energy plant, design solutions). This Strategy must make a commitment to implement the mitigation measures (including NOx emissions standards for the chosen energy plant) that are required to reduce the exposure of future residents to poor air quality and to help mitigate the development's air pollution impacts, in particular the emissions of NOx and particulates from on-site and off-site transport via a Ultra Low Emission Vehicle Plan (ULEVP) e.g. use of on-road Ultra Low Emission Vehicles in accordance with the emissions hierarchy (1) Electric Vehicle (Zero emission), (2) Hybrid (non-plug in) Electric Vehicle (HEV), (3) Plug-in Hybrid Electric Vehicle (PHEV), (4) Alternative Fuel e.g. CNG, LPG, (5) Petrol (6) Diesel (Euro 6-HGV) and energy generation sources. The strategy must re-assess air quality neutral and/or air quality positive in accordance with the Mayor of London guidance. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

To ensure that the amenity of occupiers of the development site and neighbouring occupiers is not adversely affected by poor air quality, in accordance with Policy 7.14 of the London Plan (2016), and Policy CC10 of the Local Plan (2018).

- 16) Prior to commencement of the development hereby approved (save for works of site clearance and demolition of existing buildings), details shall be submitted to and approved in writing by the Local Planning Authority, 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 residential units. 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 and other disturbance in accordance with Policies HO11 and CC11 of the Local Plan (2018).

- 17) Prior to commencement of the development hereby approved (save for works of site clearance and demolition of existing buildings), details shall be submitted to and approved in writing by the Local Planning Authority, of the sound insulation of the floor, ceiling, walls separating the commercial parts of the development from the residential dwellings. Details shall demonstrate that the sound insulation value  $D_{nT,w} + C_{tr}$  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 and adjacent dwellings/noise sensitive premises is not adversely affected by noise and other disturbance, in accordance with Policies TLC5, HO11, and CC11 of the Local Plan (2018).

- 18) Prior to commencement of the development hereby approved (save for works of site clearance and demolition of existing buildings), a noise assessment shall be submitted and approved in writing by the Local Planning Authority detailing external noise levels incl. reflected and re-radiated noise and details of the sound insulation of the building envelope, orientation of habitable rooms away from major

noise sources and of acoustically attenuated mechanical ventilation as necessary to achieve internal room- and (if provided) external amenity noise standards in accordance with the criteria of BS8233:2014. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure that the amenity of occupiers of the development site is not adversely affected by noise from transport and commercial noise sources, in accordance with Policies HO11 and CC11 of the Local Plan (2018).

- 19) Prior to commencement of the development hereby approved (save for works of site clearance and demolition of existing buildings), details of anti-vibration measures shall be submitted to and approved in writing by the Local Planning Authority. The measures shall ensure that any machinery, plant/equipment, extract/ventilation systems and ducting associated with the development (to include the ground floor Class A4 use) 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 and surrounding premises is not adversely affected by vibration, in accordance with Policies HO11 and CC11 of the Local Plan (2018).

- 20) Prior to commencement of the development hereby approved (save for works of site clearance and demolition of existing buildings), details shall be submitted to and approved in writing by the Local Planning Authority, of sound insulation of the building envelope and other mitigation measures, as appropriate, of the ground floor Use Class A4 use. Details shall demonstrate that noise from uses and activities is contained within the building/development site and shall not exceed the criteria of BS8233:2014 at neighbouring noise sensitive/habitable rooms and private external amenity spaces. 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 and surrounding premises is not adversely affected by noise and other disturbance in accordance with Policies TLC5, HO11, and CC11 of the Local Plan (2018).

- 21) Prior to commencement of the development hereby approved (save for works of site clearance and demolition of existing buildings), details shall be submitted to and approved in writing by the Council, of the installation, operation, and maintenance of the odour abatement equipment and extract system, including the height of the extract duct and vertical discharge outlet, in accordance with the 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' January 2005 by DEFRA. Approved details shall be implemented prior to the commencement of the use and thereafter be permanently retained.

To ensure that the amenity of occupiers of the development site and neighbouring occupiers is not adversely affected by noise, odour, and other disturbance in accordance with Policies TLC5, CC10, CC11, and CC13 of the Local Plan (2018).

- 22) Prior to commencement of the development hereby approved, a preliminary risk assessment report shall have been submitted to and approved in writing by the



Local Planning Authority. This report shall comprise: a desktop study which identifies all current and previous uses at the site and surrounding area as well as the potential contaminants associated with those uses; a site reconnaissance; and a conceptual model indicating potential pollutant linkages between sources, pathways and receptors, including those in the surrounding area and those planned at the site; and a qualitative risk assessment of any potentially unacceptable risks arising from the identified pollutant linkages to human health, controlled waters and the wider environment including ecological receptors and building materials. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

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

- 23) Prior to commencement of the development hereby approved, a site investigation scheme shall have been submitted to and approved in writing by the Local Planning Authority. This scheme shall be based upon and target the risks identified in the approved preliminary risk assessment and shall provide provisions for, where relevant, the sampling of soil, soil vapour, ground gas, surface and groundwater. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

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

- 24) 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 Local Planning Authority. This report shall: assess the degree and nature of any contamination identified on the site through the site investigation; include a revised conceptual site model from the preliminary risk assessment based on the information gathered through the site investigation to confirm the existence of any remaining pollutant linkages and determine the risks posed by any contamination to human health, controlled waters and the wider environment. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and

following the development works, in accordance with Policy CC9 of the Local Plan (2018).

- 25) 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 Local Planning Authority. This statement shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved quantitative risk assessment. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

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

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

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

- 27) 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 Local Planning Authority where further monitoring is required past the completion of development works to verify the success of the remediation undertaken. A verification report of these monitoring works shall then be submitted to and approved in writing by the Council when it may be demonstrated that no residual adverse risks exist. All works must be

carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

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

- 28) Prior to the commencement of the development hereby permitted (save works of site clearance and demolition works of existing buildings), a Surface Water Management Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Surface Water Management Strategy should include details of how surface water will be managed on-site in-line with the London Plan Drainage Hierarchy's preferred SuDS measures. Information provided shall include details on the specification, location, and attenuation capabilities (storage volumes) of the proposed SuDS measures such as permeable paving, green/brown roofs, and rainwater harvesting system. Details of the proposed flow controls and flow rates for any discharge of surface water to the combined sewer system should also be provided, along with confirmation from Thames Water of their acceptance of these, with the aim of achieving Greenfield rates for final discharges. A finalised plan drawing (to scale) of the proposed SuDS measures (including detailed plan drawings of all roof areas, showing the scale of the living roofs) should be provided which shows all connections (including off-site connections). Management and maintenance details for all proposed SuDS measures should also be provided along with an implementation plan for the drainage scheme, taking into consideration any phasing of works on-site. The Surface Water Management Strategy shall be implemented in accordance with the approved details, and thereafter all sustainable drainage measures shall be maintained and permanently retained in accordance with the approved details.

To prevent any increased risk of flooding and to ensure the satisfactory storage of/disposal of surface water from the site in accordance with Policy 5.13 of The London Plan and Policies CC3 and CC4 of the Local Plan (2018).

- 29) The development hereby approved shall not be occupied until the flood risk mitigation measures identified in the Flood Risk Assessment submitted with this application have been carried out. The scheme shall thereafter be permanently maintained as such thereafter.

To ensure that the flows of foul and surface water run-off is managed in a sustainable manner, in accordance with Policy 5.13 of The London Plan 2011, Policies CC3 and CC4 of the Local Plan 2018.

- 30) No water tanks, water tank enclosures or other structures shall be erected upon any terrace or the flat roof forms of the development hereby approved.

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

- 31) With the exception of the terraces as shown on the drawings hereby approved no alterations shall be carried out; nor planters or other chattels placed on the flat

roofs of the development as hereby approved in connection with their use as roof terraces or other forms of open amenity spaces. No railings or other means of enclosure shall be erected on the roofs, and no alterations shall be carried out to any elevations of the application property to form access onto the roofs.

Such a use would be detrimental to the amenities of neighbouring properties by reason of overlooking and loss of privacy, in accordance with Policies HO11, DC2 of the Local Plan 2018 and Key Principle HS8 of the Planning Guidance Supplementary Planning 2018.

- 32) 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 that the visual impact of telecommunication equipment can be considered in accordance with Policies DC1 and DC2 of the Local Plan 2018.

- 33) The basement of the residential development hereby approved, shall only be used in connection with, and ancillary to, Flats 1 and 2 where specified on drawing 0334\_101\_PP\_B1 Rev P6, or as storage space ancillary to the remainder of the application property as 7no. residential units. The basement of the residential development shall not be used as a separate self-contained residential unit.

The use of the basement as self-contained habitable accommodation would raise materially different planning considerations that the Council would wish to consider at that time, in accordance with Policies DC1, H01, H04, H05, H011, and CC3 of the Local Plan (2018).

- 34) Prior to installation of any external artificial lighting, details shall be submitted to, and approved in writing by, the Local Planning Authority. Details shall also be submitted for approval of measures to minimise use of lighting and prevent glare and sky glow by correctly using, locating, aiming and shielding luminaires. Approved details shall be implemented prior to use of the development and thereafter be permanently retained.

To ensure a satisfactory external appearance and to ensure that the amenity of occupiers of surrounding premises is not adversely affected by lighting, in accordance with Policies DC2, and CC12 of the Local Plan 2018.

- 35) Flat 07 of the development hereby approved shall be created to meet M4 (3) Category 3: 'Wheelchair user dwellings'; and Flats 01 and 02 shall be created to meet M4 (3) Category 2: 'Accessible and adaptable dwellings' of the Building Regulations 2010 Approved Document M 'Access to and use of buildings' (2015 Edition). These units shall be permanently retained as such thereafter.

To ensure that the development provides accessible accommodation in accordance with Policy 3.8 of the London Plan (2016) and Policy HO6 of the Local Plan (2018).

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

- 1)
  1. Principle of Development: It is considered that the proposed partial change of use and the erection of a residential development is acceptable. The loss of part of the existing Class A4 floorspace and creation of 7no. Class C3 residential units would be acceptable and in accordance with the NPPF (2018), Policy 3.16 of the London Plan (2016), and Policies CF1, CF2, and TLC7 of the Local Plan 2018.
  2. Design: The proposals are considered to be compatible with the scale and character of existing development its surroundings, and subject to condition to ensure a high-quality finish, the development would make a positive contribution to the urban environment in this part of the Borough. The proposals would therefore be acceptable in accordance with the NPPF (2018), Policies 7.1, 7.2, 7.4, 7.5, and 7.6 of the London Plan (2016) and Policies DC1, DC2, and DC4 of the Local Plan 2018.
  3. Residential Amenity and Impact on Neighbouring Properties: The impact of the proposed development upon adjoining occupiers is on-balance considered acceptable, with no significant worsening of noise, overlooking, loss of sunlight or daylight or outlook to cause undue detriment to the amenities of neighbours. In this regard, the development would respect the principles of good neighbourliness and are acceptable in accordance with Policies HO11 and DC2 of the Local Plan 2018, and Key Principles HS6, HS7 and HS8 of the Planning Guidance Supplementary Planning Document 2018.
  4. Quality of Accommodation: The development would provide a satisfactory internal and external layout, and provision of daylight and outlook, as well as a secure, and accessible development for future occupiers in accordance with Policies 3.4, 3.5, 3.8 and 7.4 London Plan (2016), and Policies DC1, DC2, HO4, and HO6 of the Local Plan 2018.
  5. Transport: There would be no significant adverse impact on traffic generation and the scheme would not result in congestion of the road network. Conditions will secure a parking permit free development on site and adequate provision of cycle and refuse storage. The development would therefore be acceptable in accordance with the NPPF (2018), Policies 6.1, 6.3, 6.9, 6.10, 6.11, 6.13 of the London Plan (2016), and Local Plan 2018 Policies T1, T2, T3, T4, and T7.
  6. Flood Risk: A Flood Risk Assessment (FRA) has been submitted and has considered risks of flooding to the site and adequate preventative measures have been identified. Moreover, satisfactory indicative details of surface water management within the site have been submitted. Implementation of the submitted details will be secured by condition. In this respect the proposal is considered to accord with the NPPF (2018), Policies 5.11, 5.12, 5.13, 5.14 and 5.15 of the London Plan (2016), and Policies CC3 and CC4 of the Local Plan 2018.
  7. Land Contamination: Conditions will ensure that the site would be remediated to an appropriate level for the sensitive residential use. The proposed development therefore accords with Policy 5.21 of the London Plan (2016), and Policy CC9 of the Local Plan 2018.

8. Air Quality: Subject to additional air quality, mechanical ventilation and fresh air intake details, the proposal will ensure neutral air quality outcomes in accordance with Policies 3.2, 5.3 and 7.14 of the London Plan (2016) and Policy CC10 of the Local Plan 2018.

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

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

Application form received: 6th September 2018  
Drawing Nos: see above

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

**Consultation Comments:**

**Comments from:**

**Dated:**

**Neighbour Comments:**

**Letters from:**

**Dated:**

Flat B 4 Greyhound Road London W6 8NX  
Fulham Society 1 Rosaville Road London SW6 7BN

29.09.18  
06.10.18

**OFFICERS REPORT**

**1.0 SITE DESCRIPTION, RELEVANT HISTORY AND PROPOSALS**

Site and Surrounding Area:

1.1 The application site includes a four-storey building with a vacant public house (Use Class A4) at ground floor level, ancillary storage/service space at basement level and 3 residential flats (Use Class C3) on the floors above. The site is located at the junction of Greyhound Road with Fulham Palace Road, with an access/frontage also provided via Aspenlea Road with ancillary service floorspace associated with the Class A4 use to the rear.

1.2 The site is located within a designated 'Neighbourhood Parade, though does not comprise any statutorily or locally listed buildings, and is not located within a conservation area. It is however located adjacent to the Crabtree conservation area, which is sited to the west.

1.3 The site has public transport accessibility level (PTAL) of 5 on a scale of 1- 6b with 6b having the highest PTAL. There are several bus stops located within a short distance along Fulham Palace Road. The site is also located within Flood Zone 3.

## Relevant Planning History:

1.4 In 1973, planning permission (ref: 1972/01942/HIST) was granted for the carrying out of alterations to the existing buildings at No. 2 Aspenlea Road and the erection of extension thereto and their use as an extension to the existing public house.

1.5 In 1973, planning permission (ref: 1973/01055/HIST) was granted for the carrying out of alterations to the existing building at No. 2 Aspenlea Road and their use for storage and toilet facilities, together with the use of the yard for unloading and loading.

1.6 In 2003 planning permission (ref 2003/02376/FUL) was refused for the erection of a three-storey extension on top of existing single storey building, fronting Greyhound Road, to provide 2 self-contained 1-bedroom flats and 3 self-contained studio flats on the following grounds: design, amenity, lack of off-street car parking, lack of refuse and recycling storage, lack of private or communal amenity provision, two of the dwellings would be single aspect and north facing, unacceptable arrangements for cycle storage.

1.7 In January 2018 planning permission (ref: 2017/04327/FUL) was granted for the installation of 7no.rooflights to the front elevation; erection of a rear roof extension; erection of a rear extension at third floor level, on top of existing back addition in connection with the creation of 2 x 1-bedroom residential units.

1.8 In June 2018, a planning application 2017/04871/FUL was withdrawn for the redevelopment and partial change of use of the existing building (Class A4), to provide 7no. residential units (Class C3) (5 x 1 bed units and 2 x 2 bed units), together with associated cycle and refuse stores.

## Proposed Development:

1.9 The proposals involve the partial demolition of the existing single storey building to the rear of 175 - 177 Fulham Palace Road which extends to Aspenlea Road and provides ancillary space to the Class A4 floorspace as existing, and the redevelopment of the site to provide 7 residential units (Use Class C3) comprising 5 x 1 beds and 2 x 2 beds, together with associated cycle parking and refuse store.

1.10 The development proposes the retention of approximately 486sqm of Class A4 floorspace across lower ground and ground floor level. The ground floor will remain the primary 'sales' area with the kitchen and storage areas located at lower ground floor level. The retained A4 unit will continue to operate as a public house with a separate independent access from Fulham Palace Road.

1.11 The residential accommodation would be contained within a four-storey building fronting Greyhound Road (including retention of existing basement) and a single storey building fronting Aspenlea Road. Access to the residential accommodation would be via Greyhound Road, with a secondary entrance on Aspenlea Road.

1.12 Following the withdrawal of the previous scheme for a similar proposal in June 2018, this application has been amended to provide:

- details of the proposed extract duct and an assessment of noise impacts;
- justification for the proposed accessibility arrangements;

- revised layouts to Flats 01 and 02 to ensure all primary habitable rooms (living and bedrooms) are at ground floor rather than the basement; and
- an updated daylight and sunlight assessment.

## 2.0 CONSULTATION RESPONSES (INTERNAL AND EXTERNAL)

2.1 The application was advertised by site and press notices and individual notification letters were sent to 140 neighbouring properties.

2.2 In total, 2 representations have been received raising objection to the proposals on the following grounds:

- Overdevelopment;
- adverse daylight and outlook impacts; and
- Increased traffic movements and parking demand.

2.3 The Environment Agency raise no objections.

## 3.0 PLANNING CONSIDERATIONS

3.1 The main planning considerations to be considered in light of the revised National Planning Policy Framework (NPPF) (2018), the London Plan (2016), and the Council's development plan comprising the Local Plan (2018) and Planning Guidance SPD (2018) include; the principle of the development in land use terms; quality of residential accommodation; character, design and conservation, visual amenity; impact on the amenities of neighbouring residents; highways; and other environmental quality considerations.

### LAND USE

Change of Use of Public House:

3.3 London Plan Policy 3.16 cites the protection and enhancement of social infrastructure, which can include public houses.

3.4 Local Plan Policies CF2 and CF3 concern the provision and retention of community facilities and services, and seek the enhancement and retention of community uses to include culture and entertainment uses such as public houses.

3.5 Local Plan Policy TLC7 relates specifically to public houses and ultimately seeks their retention. Parts 1 and 2 of this policy address the complete loss of public houses. In this case however, there will be no complete loss of the Class A4 unit, with the application seeking a partial change of use and the retention of a public house (486sqm) with a 45% reduced floor area.

3.6 Policy TLC7 states that "The proposed change of use of a ground floor of a public house for residential use will only be acceptable where:

- a. the site is not within a town centre, key local centre, satellite parade or neighbourhood parade;
- b. the proposal has been assessed against design, character and heritage as well as appropriateness of the alternative use; and
- c. the residential use is acceptable, will be of high quality and it meets the requirements outlined in residential standards.



3.7 Whilst the site is located within a designated Neighbourhood Parade, the application would not result in the loss of a pub and would retain an active Class A4 frontage to Fulham Palace Road and Greyhound Road. The retained Class A4 use would continue to provide the primary functions and features of a public house within a high-quality development with a more efficient space, tailored for an identified end-user.

3.8 Officers are satisfied that the proposed development would preserve the visual amenities and character of the site and street scene, and would provide a satisfactory standard of accommodation for future occupiers. These matters are discussed in further in the relevant paragraphs below.

#### Residential Development:

3.9 London Plan Policy 3.3 identifies that surplus commercial land should be utilised for residential development, with part (B) identifying that an annual average of 42,389 net additional homes should be delivered across the capital. Table 3.1 sets an annual target of 1,031 net additional dwellings for Hammersmith and Fulham. Local Plan Policy HO1 references this target, and seek the delivery of additional dwellings within the borough to achieve the aim of London Plan Policy 3.3, on both identified and windfall sites, and as a result of change of use. The proposals would contribute to the boroughs housing target.

#### Residential Mix:

3.10 Policy HO5 of the Local Plan encourage a mix of accommodation. The proposal would include 7 flats comprising 1 x studio, 4 x one-bed, and 2 x two-bed units. This represents an appropriate mix of units.

#### Residential Density:

3.11 London Plan Policy 3.4 and Local Plan Policy HO4 seek to ensure that development proposals achieve the optimum intensity of use compatible with local context, design principles and with public transport capacity, with consideration for the density ranges set out in Table 3.2 of the London Plan.

3.12 The site is in a high (level 5) Public Transport Accessibility Level (PTAL) area using Transport for London's methodology. According to the London Plan density matrix, the site is set in an urban area and on this basis the appropriate density requirement is between 200 - 700 habitable rooms per hectare (hr/ha), or 45-185 units per hectare (u/ha).

3.13 The site measures 0.03 ha and would provide a total of 19 habitable rooms. The scheme would therefore result in a density of 633 hr/ha which is within the accepted density range.

#### Conclusions:

3.14 Overall, in policy terms the proposed mixed-use development would optimise development on this brownfield site. The proposals result in the retention of a vacant public house with improved facilities whilst maintaining an active frontage to the street. In addition, the 7 residential units would be located within a highly accessible Neighbourhood Parade and provide a contribution toward the Council's overall housing targets.

3.15 The proposals accord with the relevant provisions of the NPPF (2018), and are acceptable in respect of Policies 3.3, 3.4, and 3.6 of the London Plan (2016), and Policies TLC7, CF1, CF2, and HO1 of the Local Plan (2018).

## QUALITY OF ACCOMMODATION

3.16 London Plan Policy 3.5 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. Local Plan Policies HO4 and HO5 seeks to ensure that all housing development is provided to a satisfactory quality. This approach is reflected in Local Plan Policy HO11, and is supported by Housing Standards Key Principles HS1 and HS2 of the Planning Guidance SPD.

### Internal Amenity Space:

3.17 The proposal would provide 7 residential units, each of which meet or exceed the minimum internal floorspace standards of London Plan Policy 3.5, with the habitable rooms sizes to each unit satisfactory against the Nationally Described Space Standards (2015).

### External Amenity Space:

3.18 The Mayor's Housing SPG (2017) states that 'A minimum of 5sqm of private outdoor space should be provided for 1-2-person dwellings and an extra 1sqm should be provided for each additional occupant.' Policy HO4 of the Local Plan and Key Principle HS1 seek that new dwellings benefit for suitable and appropriate external amenity space. Policy requires that where balconies/terraces are provided they must be designed to respect visual and neighbouring amenity. Balconies provided to meet amenity space requirements should have a minimum depth and width of 1500mm.

3.19 The ground floor units (Flats 1, 2, and 7) would have direct access to external courtyard amenity areas ranging between 5.3 sqm and 9.1 sqm. The upper floor units (Flats 3, 4, 5, and 6) would each have a private balcony ranging between 5.6 sqm and 8.7 sqm and include a minimum depth and width of 1.5m. All the proposed units would meet the minimum requirements.

### Daylight

3.20 BRE guidance (Site Layout Planning for Daylight and Sunlight 2011) provides a method for calculating the luminance of a room called Average Daylight Factor (ADF). The BRE guidance sets the following recommended ADF levels for habitable room uses 1% Bedrooms, 1.5% Living Rooms and 2.0% Kitchens. The proposed units would meet these requirements.

### Accessibility:

3.21 London Plan Policy 3.8, Local Plan Policy HO6, and Key Principles DA2, DA3, and DA6 of the Planning Guidance SPD seek to secure high quality accessible homes in all developments that include housing. Policies 3.8 and HO6 require that 90% of new housing meet Building Regulations Part M4 (2) 'accessible and adaptable dwellings'. Where feasible this requirement should be met for additional dwellings resulting from

conversion, and change of use. The remaining 10% should meet Part M4 (3) 'wheelchair user dwellings'.

3.22 All the ground floor units would either be wheelchair accessible or adaptable in accordance with Parts M4 (2) and M4 (3) of the Building Regulations. The remaining upper floor flats would not have level access, however, London Plan Policy 3.8 and Local Plan Policy HO6 acknowledge that securing level access in buildings of four storeys or less can be difficult, and that there may be circumstances where it is not possible to achieve the full M4(2) requirements. The policy therefore allows some flexibility in achieving these criteria, where consideration should also be given to viability and impact on ongoing service charges for residents.

3.23 In this instance, considering the sites constraints and built form, the accessibility of the development is considered acceptable in respect of Policy 3.8 of the London Plan and HO6 of the Local Plan. Condition 35 secures the delivery of the adaptable and accessible units.

Noise and Disturbance:

3.23 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."

3.24 The proposed stacking of the flats would be on top of one another and close to the Class A4 use at ground floor level. The Council's Public Protection team have considered the proposals and raise no objection subject to conditions 16-21, securing enhanced sound insulation measures, a pre-commencement noise assessment, and details of noise, vibration, and odour abatement.

3.25 Subject to the recommended conditions the proposed development would not unduly harm the amenities of future provide a satisfactory quality of residential accommodation for future occupiers, in accordance with Policies HO11 and CC11 of the Local Plan, and Key Principle NN3 of the Planning Guidance SPD.

## CHARACTER, DESIGN, AND EXTERNAL APPEARANCE

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

3.27 Local Plan Policy DC1 requires all development within the borough to create a high quality urban environment that respects and enhances its townscape context and heritage assets. Policy DC2 furthers the above, seeking that new build development be of a high standard of design, compatible with the scale and character of existing development and its setting. In particular development proposals must respect (a) the historical context of the site, (b) the scale, mass, form and grain of surrounding development, (e) good neighbourliness, (h) the principles of accessible and inclusive design, and (i) principles of Secured by Design.

#### Demolition:

3.28 The proposals concern the demolition of the single storey rear element of the existing site, extending from the Greyhound Road frontage to the Aspenlea Road frontage. The existing buildings to be demolished are of limited architectural, historical, or visual merit and no objection is raised to their removal/demolition subject to suitable high-quality replacement development.

#### Townscape Character:

3.29 The main building is part of a 3-storey terrace facing Fulham Palace Road, within the Victorian suburbs of Fulham that have retained much of their uniformity. The building is not a heritage asset and does not lie within a conservation area but lies opposite the Crabtree conservation area that is fronted by a 3-storey terrace designated as Buildings of Merit.

3.30 The general townscape context is characterised by 3-storey terraces with commercial uses at ground level and shallow pitched roofs. Many townscape gaps between Fulham Palace Road and the adjoining side terraces have been infilled, and some terraces have roof extensions, however, most of them are not visible from street level.

3.31 Officers consider that the proposed development would not be visible in context with designated and undesignated heritage assets along Fulham Palace Road, as the proposed infill elements are located to the rear of the main building, fronting the side terraces of Aspenlea Road and Greyhound Road.

#### Height, Scale, Massing and Design:

3.32 Following the demolition of the existing single storey structures, the proposals concern the erection of a three-storey flat-roof infill building at the Greyhound Road frontage, with one-and-a-half storey mews style building at the Aspenlea Road frontage.

3.33 The principle of a modern infill development is considered acceptable, given that there are numerous precedents for such infills in the surrounding context outside conservation areas, subject to its appearance remaining sympathetic to the streetscape.

3.34 At the Greyhound Road frontage, the proposed massing has been informed by the surrounding context, with the flat roof form sitting slightly lower than the rear of No.175-177. The proposed building line would follow the existing building line that aligns with the shopfront projections in Greyhound Road. Whilst this results in the two upper levels having an approx. 1m projection beyond the face of the upper elevations along Greyhound Road, overall a traditional hierarchy of building scales between the Victorian terraces of Fulham Palace Road and Greyhound Road would be maintained.

3.35 Officers are satisfied that the façade of the 3-storey building would successfully integrate into the existing townscape, aligning horizontal features such as the parapet line, fenestration and ground floor cornice with the terrace in Greyhound Road. The front elevation has been designed to appear as a separate element rather than a continuation of the public house, with a simple pattern of openings, so that it would not detract from the more decorative features of the neighbouring Victorian terraces. In contrast, a dark grey tone for the brickwork, pigmented render and window frames is

proposed to create a more contemporary expression as well as a visual break between the historic terraces.

3.36 To the rear of the Greyhound Road building, the building line will generally align with the existing rear projections of properties on Greyhound Road, stepping down towards Aspenlea Road, seeking to preserve existing neighbour amenity and provide private amenity space in the form of terraces enclosed by lightweight obscure glazed screens, and courtyard gardens at ground floor level.

3.37 At the Aspenlea Road frontage, the form of the proposed mews house would be simple, modern, and smaller in scale to reflect the narrower gap to and lower form of the adjoining terrace. This element thereby remains subservient to the existing townscape and respects its traditional hierarchy, with the building line and semi-private garden frontage in-keeping with the remainder of Aspenlea Road.

3.38 Details and samples of external materials and finishes and details of a typical bay in plan, section and elevation (at a scale of not less than 1:20) would be secured by Condition 3.

Basement/Lower-ground floor:

3.39 Local Plan Policy DC11 sets out the criteria that basement development will be considered acceptable and requires various supporting information to be provided as part of any application for basement development.

3.40 The proposed development seeks to utilise the existing lower ground floor level that currently forms part of the public house. There is no further excavation proposed as part of this application and therefore the scheme is considered to comply with Policy DC11.

3.41 Overall, the proposed scale, massing, design, and external finishes (subject to condition) of the development are considered appropriate, and would contribute positively to the townscape of this part of Greyhound Road and Aspenlea Road. The development would therefore be acceptable in accordance with the relevant provisions of the NPPF (2018), London Plan (2016) Policies 7.1, 7.2, 7.4, 7.5 and 7.6, and Policies DC1, DC2, and DC11 of the Local Plan (2018).

Secure by Design:

3.42 London Plan Policy 7.3 and Local Plan Policy DC2 requires proposals to meet Secured by Design principles. The submitted Design and Access Statement notes that a number of security and secure entry measures proposed to be incorporated within the development, to include access control systems, well-lit and overlooked external access, and secured, covered, and illuminated cycle storage. The proposed measures are considered acceptable in this regard.

RESIDENTIAL AMENITY

3.43 Local Plan Policy DC2 states all proposals must be formulated to respect the principles of good neighbourliness. Key Principles HS6, HS7, and HS8 of the Planning Guidance SPD seeks to protect the existing amenities of neighbouring residential properties in terms of outlook; daylight, sunlight, and overshadowing, privacy, and noise and disturbance.

3.44 Policies CC11, CC12 and CC13 concern environmental nuisance and require all developments to ensure that there is no undue detriment to the general amenities enjoyed by neighbouring occupiers.

Outlook:

3.45 Planning Guidance SPD Key Principle HS6 notes that the proximity of a development can have an overbearing and dominating effect detrimental to the amenities of adjoining residential occupiers. Although it is dependent upon the proximity and scale of the proposed development, a general standard can be adopted by reference to a line produced at an angle of 45 degrees from a point at ground level or at 2m on the rear curtilage. On-site judgement will be a determining factor if any part of the proposed building extends beyond these lines.

3.46 The closest residential property to the site is No.2A Aspenlea Road. The application proposes that the existing rear boundary wall will be lowered by 700mm, together with the staggered setback of the upper floors of the proposed rear elevation on the application site, would ensure that the proposals would remain within a 45-degree line taken from the top of the retained tall boundary wall to the rear curtilage of this property, and comply with the guidance of Key Principle HS6.

3.47 The scale, form, and setback of the proposed development from other neighbouring upper floor windows to the rear of Nos.169, 171 and 173 Fulham Palace Road and front elevation of Nos.2A and 4 Greyhound Road, would ensure that the proposals would not result in any detrimental sense of enclosure to these neighbouring occupiers. In addition, the existing two-storey high boundary wall with No.3 Greyhound Road would be retained and would largely screen the development from this property, with the setback of the second floor window to this property from the common boundary preserving an acceptable sense of openness to this window.

3.48 The proposed development is not therefore considered to result in an undue impact to neighbouring occupiers through an increased sense of enclosure and is in accordance with Policy DC2 and HO11 of the Local Plan, and Key Principle HS6 of the Planning Guidance SPD.

Daylight/Sunlight/Overshadowing:

3.49 The British Research Establishment (BRE) guide on 'Site layout planning for daylight and sunlight', set out good practice for assessing daylight and sunlight impacts for new development. In urban and city centre areas, BRE Guidelines advise that the guidance be applied flexibly.

3.50 The applicants have submitted a Daylight and Sunlight report which has been carried out in line with the BRE guidance. Officers have considered the potential impacts of the proposed development on daylight, sunlight and overshadowing on existing neighbouring residential buildings. The most affected properties are No.2A Aspenlea Road, Nos.2A and 4 Greyhound Road, and Nos.169, 171 and 173 Fulham Palace Road.

## Daylight:

3.51 The BRE Guidance sets out three different methods of assessing daylight to or within a room, the Vertical Sky Component (VSC) method, the plotting of the no-sky-line (NSL) method and the Average Daylight Factor (ADF) method.

3.52 The VSC method measures the amount of sky that can be seen from the centre of an existing window and compares it to the amount of sky that would still be capable of being seen from that same position following the erection of a new building. The measurements assess the amount of sky that can be seen by converting it into a percentage. An unobstructed window will achieve a maximum level of 40% VSC. The BRE guide advises that if the VSC is greater than 27% then enough skylight should still be reaching the window of the existing window.

3.53 If the VSC is both less than 27% and less than 80% of its former value, occupants of the existing building will notice the reduction in the amount of daylight. However, the Guidance makes clear that these values are advisory and para 2.2.1 states that 'Different criteria may be used based on the requirements for daylighting in an area viewed against other site layout constraints.

3.54 No Sky-Line NSL measures the distribution of daylight within a room. It indicates the point in a room from where the sky cannot be seen through the window due to the presence of an obstructing building. The NSL method is a measure of the distribution of daylight at the 'working plane' within a room. In houses, the 'working plane' means a horizontal 'desktop' plane 0.85 metres above floor level. This is approximately the height of a kitchen work surface. The NSL divides those areas of the working plane in a room which receive direct sky light through the windows from those areas of the working plane which do not. For houses, the rooms to be assessed should include living rooms, dining rooms and kitchens. Bedrooms should also be analysed, although in terms of NSL they are considered less significant in terms of receiving direct sky light. Development will affect daylight if the area within a room receiving direct daylight is less than 80% of its former value.

3.55 The Average Daylight Factor (ADF) involves values for the transparency of the glass, the net glazed area of the window, the total area of room surfaces, their colour reflectance and the angle of visible sky measured from the centre of the window. This is a method that measures the general illumination from skylight and considers the size and number of windows, room size, room qualities and room use. The BRE test recommends an ADF of 5% for a well day lit space or 2% for a partly day lit space. The minimum standards for ADF recommended by the BRE for individual rooms are 2% for kitchens, 1.5% for living rooms and 1% for bedrooms. However, the BRE guide (Appendix F) states that 'Use of the ADF for loss of light to existing buildings is not generally recommended'.

3.56 In total, 12 windows relating to 6 neighbouring properties in Aspenlea Road, Fulham Palace Road, and Greyhound Road have been assessed. The neighbouring window opening most likely to be affected in respect of daylight is that within the ground floor rear elevation of No.2A Aspenlea Road. Having considered the assessments above, as the existing rear boundary wall is being lowered by 700mm, with the application proposing that the rear elevation be staggered to increase the setback from this property, Officers are satisfied that there would be no demonstrable harm from the proposals in respect of daylight to this property.

3.57 In respect of the upper floor windows to No.2A Aspenlea, and other neighbouring windows to the rear of Nos.169, 171 and 173 Fulham Palace Road and front of Nos.2A and 4 Greyhound Road, the proposals would retain a good standard of daylight without any noticeable change in accordance with BRE guidance.

#### Sunlight and Overshadowing:

3.58 To assess loss of sunlight to an existing building, the BRE guidance suggests that all main living rooms of dwellings, and conservatories, should be checked if they have a window facing within 90 degrees of due south. The guidance states that kitchens and bedrooms are less important, although care should be taken not to block too much sun. The Annual Probable Sunlight Hours (APSH) predicts the sunlight availability during the summer and winter for the main windows of each habitable room that faces 90 degrees of due south. The summer analysis covers the period 21 March to 21 September, the winter analysis 21 September to 21 March. The BRE Guidance states a window may be adversely affected if the APSH received at a point on the window is less than 25% of the annual probable sunlight hours including at least a 5% of the annual probable sunlight hours during the winter months and the percentage reduction of APSH is 20% or more.

3.59 In respect of overshadowing, the BRE Guidelines recommend that for it to appear adequately sun lit throughout the year at least half of a garden or amenity space should receive a least 2 hours of sunlight on 21 March. If, because of new development, an existing garden or amenity area does not meet the above, and the area which can receive 2 hours of sunlight on the 21 March is less than 0.8 times its former value, then the loss of sunlight is likely to be noticeable.

3.60 The proposed 700mm reduction in the height of the rear boundary wall at No.2A Aspenlea Road would ensure a more open aspect to the rear amenity area of that property. Officers consider that this would enable a continued reasonable level of sunlight without any undue overshadowing in line with BRE guidance.

3.61 For the reasons above, and having considered the submitted Assessment, Officers concur with its conclusions that the proposed development would not result in substantial reductions in the amount of either daylight or sunlight to neighbouring buildings, and is considered satisfactory in terms of its impact on daylight, sunlight and overshadowing to neighbouring residential properties.

#### Privacy:

3.62 Planning Guidance SPD Key Principle HS7 states that new windows should normally be positioned so that they are a minimum of 18m away from existing residential windows as measured by an arc of 60 degrees taken from the centre of the proposed window. In addition, a roof terrace/balcony is unacceptable if it would result in an additional opportunity for overlooking and consequent loss of privacy.

3.63 Having regard to the typical relationship between adjacent elevations along Greyhound Road, Officers do not consider that the openings within the front (Greyhound Road) elevation of the building would give rise to adverse opportunities for overlooking. To the rear, in the north elevation above ground floor the windows and terraces would be enclosed by 1.7m high obscure glazed screens, to prevent additional opportunities for overlooking or loss of privacy. Condition 4 will be attached to ensure suitable obscure glazing is secured.



3.64 The proposal would not result in a loss of privacy or overlooking and therefore accords with Policy DC2 and HO11 of the Local Plan, and Key Principle HS7 of the Local Plan in this respect.

Noise and Disturbance:

3.65 Planning Guidance SPD Key Principle HS8 adds that roof terraces or balconies likely to cause harm to the existing amenities of neighbouring properties by reason of noise and disturbance will not be supported.

3.66 Each of the properties would have access to a terrace or area of external amenity space to the rear of the development. It is difficult to predict with any accuracy the likely level of noise/disturbance that would be generated by the use of the proposed terrace/amenity areas however, in this case, having regard to the modest size (5-9sqm) of the proposed areas, together with their relationship with adjoining properties, it is considered that these spaces would not unduly harm the amenities of adjoining occupiers as a result of additional noise and disturbance.

3.67 Overall, Officers consider that the proposed development would not have an unacceptable impact upon the residential amenities of neighbouring occupiers in terms of daylight, outlook, loss privacy, or noise and disturbance and would thereby accord with Policy DC2, CC11, CC12 and CC13 of the Local Plan and SPD Housing Standards Key Principle HS6, HS7, and HS8 of the Planning Guidance SPD.

## TRAFFIC AND HIGHWAYS

Car Parking:

3.68 Policies 6.1, 6.3, 6.9, 6.10, 6.11 and 6.13 of the London Plan seek that developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. The policies also provide guidance for the establishment of maximum car parking standards and cycle standards.

3.69 Local Plan Policy T1 seeks to ensure that traffic generated by new development is minimised so that it does not add to parking pressures on local streets or congestion, or worsen air quality; and relates the intensity of development to public transport accessibility and highway capacity. Policy T4 states that [inter alia] '...The council will also require car parking permit free measures on all new development unless evidence is provided to show that there is a significant lack of public transport available.'

3.70 Whilst consideration is afforded to localised parking stress levels, paragraph 14.19 supporting Policy T4 provides further justification and states that '...The council will only consider the issuing of permits for on street parking in locations where the PTAL level is considered 2 or lower (TfL's public transport accessibility level) ... The levels of local parking stress must also be considered when assessing the impact of additional on street parking.' The above is also referenced within Key Principle TR3 of the Planning Guidance SPD.

3.71 The application does not propose the provision of off-street parking, with the site located within a PTAL 5 zone indicating it has a high level of public transport accessibility. In this instance, having regard to Policy T4, the Council consider that the PTAL rating and relatively convenient access to public transport, diminishes the need

for the development to benefit from on-street parking permits. Details of this arrangement are secured by Conditions 7-9 in accordance with Policy T4 of the Local Plan.

3.72 As a result of the proposals, the dropped kerb serving the development from Aspenlea Road will become redundant and will require reinstatement of the footway and parking bay/s. The applicant has agreed to secure these works through Section 278 legal agreement, which is ensured through Condition 5.

#### Cycle Parking:

3.73 Local Plan Policy T3 seeks to increase and promote opportunities for cycling and walking and states that new development to include provision of accessible and safe secure parking within the boundary of the site.

3.74 The application indicates that 10 cycle spaces are to be provided at ground floor level, with 8 within a cycle store, and 2 to within the rear amenity spaces of Flats 1 and 2. This arrangement is secured by Condition 10.

#### Refuse and Recycling:

3.75 Local Plan Policy CC7 states that new developments, including conversions should aim to minimise waste and should provide convenient facilities for future occupiers.

3.76 The application drawings indicate the provision of a secure, communal bin storage area at ground floor level for Flats 1 - 6 with independent storage provided to Flat 7, providing a 50:50 ratio of refuse: recycling provision to accord with Key Principle WM7 of the Planning Guidance SPD. This arrangement is secured by Condition 11.

#### Construction Traffic:

3.77 Indicative details have been provided within the submitted outline Logistics' Plan of the construction traffic. Condition 6 is attached to ensure that satisfactory details are submitted, to include full details of measures to minimise the impact of construction traffic on nearby roads and restriction of construction trips to off-peak hours only.

3.78 Overall, in terms of highways and transport implications, subject to appropriate condition, the proposal is judged to comply with Policies CC7, T1, T2, and T3 of the Local Plan and relevant Transport Key Principles of the Planning Guidance SPD.

## ENVIRONMENTAL CONSIDERATIONS

#### Flood Risk:

3.79 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. This is echoed within London Plan Policy 5.11, 5.12, 5.13, 5.14 and 5.15.

3.80 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.

3.81 The site is within the Environment Agency's Flood Zone 3, with a Flood Risk Assessment (FRA) submitted in support of the application. The site is protected by flood defences such as the Thames Barrier and local river walls, and if these were breached or over-topped, the site could be impacted by flooding. Surface water flood risk is considered low for the site, though there is a 'hotspot' nearby.

3.82 Overall, the flood risks to the development have been adequately assessed within the FRA and subject to the implementation of the measures proposed (Condition 29), the Council's Environmental Policy Officer raises no objections on flood risk grounds.

#### Sustainable Drainage Systems (SuDS):

3.83 Following amendment the application proposes the installation of a 'green planted roof' to the flat roof form of the three-storey Greyhound Road building, to manage surface water on-site in line with the requirements of London Plan 'Drainage Hierarchy', Policy 5.13, and Local Plan Policy CC4.

3.84 In broad terms, Officers consider this approach acceptable subject to further detailed design work to confirm the full details of how surface water would be managed on-site in-line with the London Plan Drainage Hierarchy's preferred SuDS measures (Condition 28).

#### Air Quality:

3.85 London Plan Policy 7.14 and Policy CC10 of the Local Plan seek to reduce the potential adverse air quality impacts of new developments by requiring appropriate consideration and mitigation of air quality issues.

3.86 The development site is within the borough wide Air Quality Management Area (AQMA). The site is in an area of very poor air quality due to the road traffic emissions from Fulham Palace Road (A219). The Council's Environmental Quality team have considered the proposal and have recommended conditions relating to mechanical ventilation, and the reduction of pre- and post-construction emissions. Further details have been secured by Conditions 12 - 15.

#### Contamination:

3.87 Policy 5.21 of the London Plan and Local Plan Policy CC9 state that the Council will support the remediation of contaminated land, and that it will take measures to minimise the potential harm of contaminated sites and ensure that mitigation measures are put in place.

3.88 Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. Conditions 22- 27 would be attached in event of permission being granted in order 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.

## COMMUNITY INFRASTRUCTURE LEVY (CIL)

### Mayoral CIL:

3.89 Mayoral CIL came into effect in April 2012 and is a material consideration to which regard must be had when determining this planning application. This development will be subject to a London-wide community infrastructure levy. The relevant Mayoral CIL rate for new development Hammersmith and Fulham is £50 per sqm (GIA) of floorspace created.

3.90 An estimate of £28,650 based on the new residential floorspace has been calculated. The GLA expect the Council as the collecting authority to secure the levy in accordance with London Plan Policy 8.3.

### Local CIL:

3.91 The Council has also set a CIL charge from September 2015. The CIL Charging Schedule identifies charging levy areas and the site falls within Zone Central B. Within this zone the rate for Class C3 development is £200/sqm. An estimate of £114,600 based on the new residential floorspace has been calculated.

## 4.0 CONCLUSIONS

4.1 The proposed demolition is acceptable given that the buildings being demolished are not of architectural merit, or listed. Furthermore, no objection is raised to the proposed partial change of use which would retain a Class A4 unit of sufficient size to the frontage of the site. The proposed development would create well designed mixed use residential scheme that would complement its setting. The proposal would improve the appearance of the site and the surrounding area. The development has an acceptable impact on neighbouring living and working conditions.

4.2 The impact of the development subject to conditions would not have a significant impact on the highway, parking, flooding or the environment. As such the proposal is in accordance with relevant national guidance, London Plan Policies, the Local Plan, and the Planning Guidance SPD Key Principles.

## 5.0 RECOMMENDATION

5.1 It is recommended that planning permission is granted, subject to conditions.