

Ward: Fulham Reach

Site Address:

142 Colwith Road London W6 9EZ



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Reg. No:
2019/02681/FUL

Case Officer:
Nisreen Karsou

Date Valid:
12.09.2019

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

Committee Date:
04.02.2020

Applicant:

Mr Alexander Gersh
142 Colwith Road London W6 9EZ

Description:

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

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

Application Type:

Full Detailed Planning Application

Officer Recommendation:

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

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

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

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

- 2) The development hereby permitted shall be built in complete accordance with the submitted drawings: P01 Rev B; P02 Rev A ;P03 Rev A ;P04 Rev A ;P05;FRA.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Justification for Approving the Application:

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

LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

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

Application form received: 9th September 2019
Drawing Nos: see above

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

Consultation Comments:

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

Neighbour Comments:

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

OFFICER'S REPORT

1.0 BACKGROUND

Site

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

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

Relevant History

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

Proposal

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

2.0 PUBLICITY AND CONSULTATION RESPONSES

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

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

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

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

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

3.0 PLANNING CONSIDERATIONS

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

Draft London Plan

3.2. The draft new London Plan was published for public consultation in 2017. Following an Examination in Public of the draft Plan from January to May 2019, the Panel issued their report and recommendations to the Mayor in October 2019. In December 2019, the Mayor of London submitted his "Intend to Publish" version of the London Plan to the Secretary of State for his consideration. The 'Intend' version includes a schedule of which recommendations the Mayor is intending to accept or not and the Secretary of State has 6-weeks to review this. Once adopted, the new London Plan will supersede the current London Plan. As the document is in its late stages

towards adoption, it is considered that relatively significant weight should be applied to the draft policies where the inspector had a more favourable view in determining this application.

3.2a On 24 January 2018, the Council resolved to adopt the Hammersmith & Fulham Local Plan (2018). The adoption of the new Local Plan took effect on 28th of February 2018 and the policies within the new Local Plan together with the London Plan 2016 make up the statutory Local Development Framework (LDF) for the Borough. Also of relevance as material considerations are the Council's Planning Guidance Supplementary Planning Document (SPD) (2018) and the Mayor's Supplementary Planning Guidance.

HERITAGE, CHARACTER AND APPEARANCE

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

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

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

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

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

Basement

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

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

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

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

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

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

Bin Store and Condenser unit

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

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

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

Tree Preservation

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

Impact on Heritage Assessment

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

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

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

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

RESIDENTIAL AMENITY

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

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

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

Noise

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

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

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

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

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

FLOOD RISK

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

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

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

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

LAND CONTAMINATION

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

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

COMMUNITY INFRASTRUCTURE LEVY:

Mayoral CIL

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

Local CIL

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

4.0 CONCLUSION

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

5.0 RECOMMENDATION

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

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