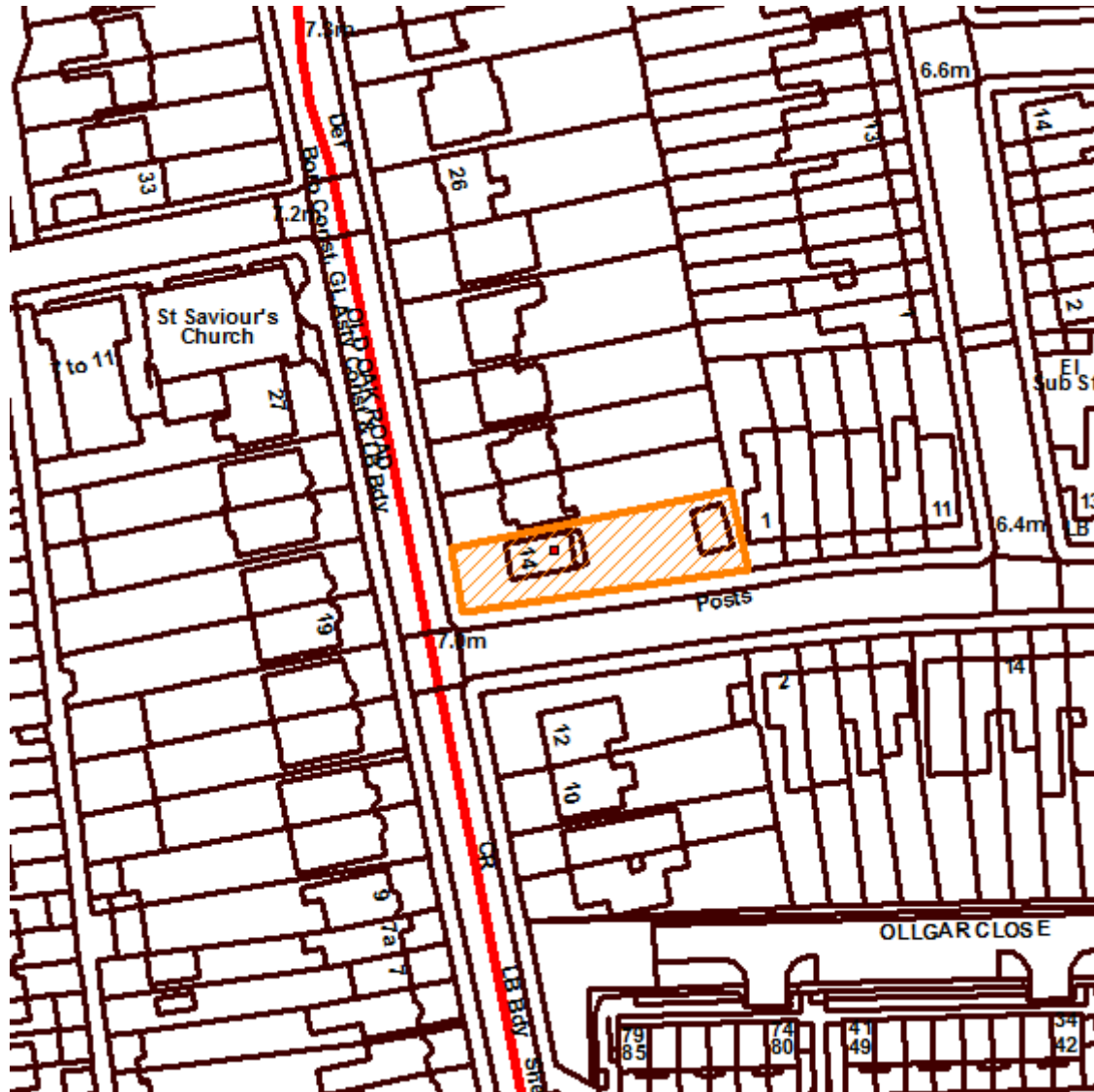


**Ward:** Wormholt And White City

**Site Address:**

14 Old Oak Road London W3 7HQ



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

**Reg. No:**  
2019/01306/FUL

**Case Officer:**  
Grace Harrison

**Date Valid:**  
03.05.2019

**Conservation Area:**

**Committee Date:**  
03.03.2020

**Applicant:**

Ms Jo Handman  
c/o agent

**Description:**

Demolition of detached house and garage, erection of a replacement three storey building comprising of 6 self-contained residential flats (1 x 1 bedroom, 5 x 2 bedroom) with balconies at first and second floor levels; erection of a detached two-storey, 3-bedroom dwellinghouse; erection of associated cycle and bin storage enclosures; landscaping works including new off-street parking; and a new boundary wall to Old Oak Road and Aldbourne Road.

Drg Nos: 104\_(2)\_1.001 issue no. 5; 104\_(2)\_1.002 issue no. 4; 104\_(2)\_1.003 issue no. 4; 104\_(2)\_1.004 issue no. 6; 104\_(2)\_1.101 issue no. 5; 104\_(2)\_2.001 issue no. 4; 104\_(2)\_2.003 issue no. 4; 104\_(2)\_3.001 issue no. 7; 104\_(2)\_2.101 issue no. 4; 104\_(2)\_5.001 issue no. 2. Arboricultural Impact Assessment and Arboricultural Method Statement (Greengage, April 2019 Ref. 551154dpApr19FV03\_AIA) Proposal for Surface Water Drainage (Ian Harban Consulting Engineers, March 2019)

104\_(2)\_5.001 issue no. 2; 104\_(2)\_1.001 issue no. 5; 104\_(2)\_1.002 issue no. 4; 104\_(2)\_1.003 issue no. 4; 104\_(2)\_1.004 issue no. 6; 104\_(2)\_1.101 issue no. 5; 104\_(2)\_2.001 issue no. 4; 104\_(2)\_2.003 issue no. 4; 104\_(2)\_3.001 issue no. 7; 104\_(2)\_2.101 issue no. 4; 104\_(2)\_3.001 issue no. 7.

**Application Type:**

Full Detailed Planning Application

**Officer Recommendation:**

That the Committee resolve that the Strategic Director, The Economy be authorised to determine the application and grant permission up on the completion of a satisfactory legal agreement and subject to the condition(s) listed below

To authorise the Strategic Director, The Economy, 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 or heads of terms of the legal agreement, 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 in accordance with the following approved drawings:

104\_(2)\_1.001 issue no. 5; 104\_(2)\_1.002 issue no. 4; 104\_(2)\_1.003 issue no. 4; 104\_(2)\_1.004 issue no. 6; 104\_(2)\_1.101 issue no. 5; 104\_(2)\_2.001 issue no. 4;

104\_(2)\_2.003 issue no. 4; 104\_(2)\_3.001 issue no. 7; 104\_(2)\_2.101 issue no. 4; 104\_(2)\_5.001 issue no. 2.

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

- 3) Prior to commencement of the demolition works hereby approved, the following shall be submitted to, and approved in writing by, the Council:

(i) a valid and enforceable building contract for redevelopment of the site in accordance with this consent, confirming that redevelopment of the site will take place within 12 months of the demolition works taking place, and that such redevelopment will be carried out without interruption;

(ii) written notice of the start date for the demolition process has been submitted to the Council. Such notification shall be to the Council's Head of Development Management and shall quote the application reference number specified in this decision letter.

To ensure that the demolition does not take place prematurely and to safeguard the character and appearance of the area and the amenities of local residents, in accordance with Policies DC1 and DC4 of the Local Plan (2018).

- 4) Prior to commencement of the demolition works hereby approved, details of the temporary hoarding to enclose the construction site shall be submitted to, and approved in writing by, the Council. Thereafter the hoarding shall be erected in accordance with the agreed details and retained for the duration of the demolition and construction works.

To ensure that the site remains in a tidy condition during demolition works and the construction phase and to prevent harm to the street scene, in accordance with Policies DC1 and DC2 of the Local Plan (2018).

- 5) Prior to the commencement of the demolition works hereby approved, a Demolition Method Statement and Construction Management Plan shall be submitted to, and approved in writing by, the Council. The document shall include details of the proposed control measures and monitoring for dust, noise, vibration and lighting; confirmation that hours of work and all activities audible beyond the site boundary will be restricted to 0800-1800hrs Mondays to Fridays, 0800-1300hrs on Saturdays and no time on Sundays; planned advance notification to neighbours and other interested parties; public display of the site manager's contact details; and arrangements for the washing of vehicles. Thereafter the demolition and construction works shall take place in full accordance with the Demolition Method Statement and Construction Management Plan as agreed.

To appropriately mitigate the impact of the development during demolition and construction in terms of noise, vibration, dust, lighting or other emissions from the building site, in accordance with Policies CC11 and CC13 of the Local Plan (2018).

- 6) Prior to commencement of the demolition works hereby approved, a Demolition and Construction Logistics Plan shall be submitted to, and approved in writing by, the Council. The document shall be in accordance with Transport for London's 'Construction Logistics Planning Guidance' and the Construction Logistics and Community Safety (CLOCS) Standard Version 3 (January 2019), and shall include details of the number, size and routes of vehicles; any vehicle holding areas and access arrangements; delivery locations on the site; use of on-road Ultra Low Emission Zone (ULEZ)-compliant vehicles; and any other matters relating to traffic management as required. Thereafter the demolition and construction shall take place in full accordance with the Demolition and Construction Logistics Plan as agreed.

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

- 7) No demolition shall take place 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).

- 8) No demolition shall take place 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).

- 9) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no demolition 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)

- 10) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no demolition 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).

- 11) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no demolition 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).

- 12) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no demolition 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).

- 13) Prior to commencement of any construction works above ground level, details (including samples and specifications) of all materials to be used on the external faces of the development have been submitted to, and approved in writing by, the council. The development shall be constructed in full accordance with the agreed details and permanently maintained as such thereafter.

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

- 14) Prior to commencement of any construction works above ground level, a sample panel of the proposed facing brickwork (indicating brick colour, bond pattern, mortar colour and joints) shall be erected on site for inspection by Officers and approved in writing by the council. The development shall be constructed in full accordance with the agreed details and permanently maintained as such thereafter.

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

- 15) Prior to commencement of any construction works above ground level, drawings in plan, section and elevation at a scale of no less than 1:20 of each window bay type and all entrances shall be submitted to, and approved in writing, by the

Council. The development shall be constructed in full accordance with the agreed details and permanently maintained as such thereafter.

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

- 16) Prior to commencement of any construction works above ground level, details (including material, colour and finish) and drawings in plan, section and elevation at a scale of no less than 1:10 of all new rooflights, windows and doors shall be submitted to, and approved in writing by, the Council. The development shall be constructed in full accordance with the agreed details and permanently maintained as such thereafter.

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

- 17) Prior to commencement of any construction works above ground level, details of any hard landscaping to external areas shall be submitted to, and approved in writing by, the Council. Details shall include paving, surfaces and boundary treatments. The development shall be carried out in full accordance with the details agreed prior to occupation of the development, and permanently maintained as such thereafter.

To ensure a satisfactory external appearance, promote biodiversity and improve air quality in accordance with Policies DC1, DC2 and CC10 of the Local Plan (2018).

- 18) Prior to commencement of any construction works above ground level, a statement of how the development will meet the requirements of Section 2b of the 'Secured by Design Homes 2019' guidance document (Version 2, March 2019) shall be submitted to, and approved in writing by, the Council. The development shall be carried out in full accordance with the details agreed and permanently maintained as such thereafter.

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

- 19) Prior to commencement of any construction works above ground level, a Ventilation Strategy Report to mitigate the impact of air pollution shall be submitted to, and approved in writing by, the Council. The Report shall include the following information:

- a) Details and locations of the clean air ventilation intake locations at rear roof level
- b) Details of non-openable windows for habitable rooms (bedrooms, living rooms) with front elevations on Old Oak Road and Aldbourne Road
- c) Details and locations of ventilation extracts, to demonstrate that they are located a minimum of 2 metres away from the fresh air ventilation intakes, openable windows, balconies, roof gardens, terraces
- d) Details of the independently tested mechanical ventilation system with Nitrogen Dioxide (NO<sub>2</sub>) and Particulate Matter (PM<sub>2.5</sub>, PM<sub>10</sub>) filtration with air intakes on the rear elevation to remove airborne pollutants. The filtration system

shall have a minimum efficiency of 75% in the removal of Nitrogen Oxides/Dioxides, Particulate Matter (PM2.5, PM10) in accordance with BS EN ISO 10121-1:2014 and BS EN ISO 16890:2016.

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

In the interests of air quality in accordance with Policy CC10 of the Local Plan (2018).

- 20) Prior to occupation of the development, details of a post-installation report of the approved Ventilation Strategy shall be submitted to, and approved in writing by, the Council. The approved details shall be fully implemented prior to occupation of the development and thereafter shall be permanently retained and maintained in good working order.

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

- 21) Prior to commencement of any construction works above ground level, details shall be submitted to, and approved in writing by, the Council of the means of achieving an enhanced sound insulation value  $D_{nT,w} + C_{tr}$  [and  $L'_{nT,w}$ ] of at least 5dB above the current Building Regulations value, for the floor/ceiling/wall structures separating different types of rooms/uses in adjoining dwellings. The development shall be implemented in full accordance with the approved details prior to occupation and thereafter permanently retained as such.

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

- 22) No part of the development hereby approved shall be occupied until details of the installation of air source heat pumps (ASHP) or electric boilers to be provided for space heating and hot water shall be submitted to, and approved in writing by, the Council. The development shall be implemented in full accordance with the approved details prior to occupation and thereafter the systems shall be permanently retained and maintained in good working order.

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

- 23) No part of the development hereby approved shall be occupied until provision for sustainable drainage has been implemented in full accordance with the details contained within the 'Proposal for Surface Water Drainage' (Ian Harban Consulting Engineers, March 2019). No part of the development shall be used or occupied until all flood prevention and mitigation measures have been installed in accordance with the submitted details and the development shall be permanently retained in this form thereafter.



To reduce the impact of flooding to the proposed development and future occupants, in accordance with Policies CC2 and CC3 of the Local Plan (2018).

- 24) No part of the development hereby approved shall be occupied until provision has been made for the storage of domestic refuse and recycling, in the form of the dedicated storage area at ground floor level as indicated on the approved drawing nos. 104\_(2)\_1.001 issue 5 and 104\_(2)\_5.001 issue 2. Thereafter the provision for refuse and recycling storage shall be permanently maintained in this form for the lifetime of the development.

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

- 25) No part of the development hereby approved shall be occupied until provision has been made for the storage of at least 11 cycles in the form of the dedicated storage area at ground floor level as indicated on the approved drawing nos. 104\_(2)\_1.001 issue 5 and 104\_(2)\_5.001 issue 2. Thereafter the provision for cycle storage shall be permanently maintained in this form for the lifetime of the development.

To ensure satisfactory provision for cycle storage in accordance with Policy T3 of the Local Plan (2018).

- 26) The development hereby permitted shall be carried out in full accordance with the details contained within the Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement submitted with this application (Greengage, April 2019 Ref. 551154dpApr19FV03\_AIA) and with a suitably qualified Arboriculturalist present at all times to supervise the works.

In order to ensure that no damage occurs to the protected trees close to the boundary of the site, to ensure that their positive contribution to the character and appearance of the area is preserved, in accordance with Policy OS5 of the Local Plan (2018).

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

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

- 28) Other than the areas explicitly identified on the approved drawings as a balcony, no other part of any roof of the new buildings shall be used as a roof terrace or other form of open amenity space. No alterations shall be carried out; nor planters or other chattels placed on the roofs. No railings or other means of enclosure shall

be erected on the roofs, and no alterations shall be carried out to any elevation of the application properties to form access onto the roofs.

The use of the roofs as a terrace would increase the likelihood of harm to the existing residential amenities of the occupiers of neighbouring properties as a result of noise and disturbance and loss of privacy contrary to Policies HO11 and CC11 of the Local Plan (2018).

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

To ensure a satisfactory external appearance and to prevent harm to the amenities of the occupiers of neighbouring residential properties, in accordance with Policies DC1, DC2 and HO11 of the Local Plan (2018).

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

In the interests of air quality, in accordance with Policy CC10 of the Local Plan (2018) and Key Principle AQ2 of the Planning Guidance Supplementary Planning Document (2018).

- 31) No properties shall be occupied until confirmation has been provided that either:- all combined water network upgrades required to accommodate the additional flows from the development have been completed; or a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

The development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development, to avoid sewer flooding and/or pollution incidents, in accordance with Policy CC3 of the Local Plan (2018).

- 32) Unit No.1 shall be constructed to meet the requirements of M4(3) Category 3: 'Wheelchair user dwellings' of Approved Document M of the Building Regulations 2010 (2015 edition incorporating 2016 amendments). Unit Nos. 2-6 and the detached dwellinghouse shall be constructed to meet the requirements of M4(2) Category 2: 'Accessible and adaptable dwellings' of Approved Document M of the Building Regulations 2010 (2015 edition incorporating 2016 amendments). All units shall be permanently retained as such thereafter.

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

- 33) Prior to commencement of any construction works about ground level, details of all soft landscaping to all areas external to the development shall be submitted to, and approved in writing by, the council. All planting, seeding and turfing approved as part of the landscaping scheme shall be carried out in the first planting or seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or shrubs which die, are removed or become seriously damaged or diseased within 5 years of the date of the initial planting shall be replaced in the next planting season with others of similar size and species. The development shall be carried out in full accordance with the details agreed prior to occupation of the development, and permanently maintained as such thereafter.

To ensure a satisfactory external appearance and satisfactory provision for permeable surfaces and planting in accordance with policies DC1, DC2 and OS5 of the Local Plan (2018).

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

- 1) 1. Land Use: The proposal would achieve a sustainable development by providing much-needed housing on previously developed land. The proposal would provide six additional units of housing towards the borough's housing targets. The proposal is considered to be in accordance with Policies HO1, HO4, and HO11 of the Local Plan (2018).
2. Housing: The quality of accommodation, including internal design and layout of the new residential units, is considered to be of high quality having regard to the Mayor's Design Guidelines and London Plan (2016) Policies 3.5 and Table 3.3, together with Policies HO3, HO6, and HO11 of the Local Plan (2018).
3. Design: The development is considered to comply with Local Plan (2018) Policies DC1 and DC2 which require a high standard of design in all new build developments, compatible with the scale and character of existing development and its setting, and London Plan policies 7.1, 7.4, 7.6 which seek a high quality in design and architecture, requiring new developments to have regard to the pattern and grain of existing development.
4. Residential Amenity: The impact of the proposed development upon adjoining occupiers is considered to be acceptable. The proposal would not have an unacceptably harmful impact on neighbouring residential amenity in terms of light, outlook or privacy and noise and disturbance. In this regard, the development would respect the principles of good neighbourliness, and would therefore be acceptable in accordance with Policies HO11 and DC4 of the Local Plan (2018).
5. Accessibility and Safety: Subject to appropriate conditions, the development would provide a safe and secure environment for all occupants, and would provide ease of access for all people, including disabled people, in accordance with in accordance with Policies DC1, DC2, HO6 and HO11 of the Local Plan (2018) and Policies 3.8 and 7.2 of the London Plan (2016).

6. Highways matters: It is considered that the scheme would not have a significant further impact on the highway network or local parking conditions, and is thus considered to be acceptable. Satisfactory provision would be made for cycle parking and future occupiers of the new units would be prevented from obtaining on-street parking permits, to help prevent overspill of parking onto the local highways. There are available public transport and other services nearby and adequate provision for storage and collection of refuse and recyclables would be provided. The development thereby accords with Local Plan (2018) Policies T1, T3, T4, T5 and T7 as well as CC7 and London Plan (2016) Policies 6.1, 6.3, 6.10, 6.11 and 6.13.

7. Environment: The impact of the development with regards to land contamination, flood risk and air quality are considered to be acceptable subject to the recommended conditions, in accordance with Local Plan (2018) Policies CC9, CC10, CC3 and CC4.

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

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

Application form received: 25th April 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:**  
Thames Water - Development Control

**Dated:**  
18.06.19

### **Neighbour Comments:**

<b>Letters from:</b>	<b>Dated:</b>
8 Aldbourne Road London W12 0LN	06.02.20
2 Aycliffe Road Shepherds Bush London W12 0LL	04.02.20
2 Aldbourne Road London W12 0LN	20.06.19
2 Aldbourne Road London W12 0LN	04.02.20
8 Aldbourne Road London W12 0LN	21.06.19
8 Aldbourne Road London W12 0LN	06.02.20
5 Aldbourne Road London W12 0LW	03.02.20
6 Aldbourne Road London W12 0LN	04.02.20
10 Aldbourne Road London W12 0LN	04.02.20
1, Sedgeford Road London W12 0NA	21.06.19
15 Aldbourne Rd London W12 0LW	03.02.20
4 Aldbourne Road LONDON W12 0LN	05.02.20
1, Aldbourne Road London W12 0LW	03.02.20

18 Aldbourne Road Shepherds Bush London W12 0LN	18.06.19
4 Aldbourne Road London W12 0LN	22.06.19
18 Aldbourne road Shepherds Bush London w12 0ln	02.02.20
1, Sedgeford Road London W12 0NA	04.02.20

## 1.0 BACKGROUND

1.1 The application site is located on the corner of Old Oak Road and Aldbourne Road (north side). There is a vacant two-storey house sited towards the western end of the plot, and a single storey double garage at the eastern end, with a large garden in between. The total site area is approximately 617 sq.m. (0.0617 hectares) of which less than 20% is currently occupied by buildings.

1.2 The site has a Public Transport Accessibility Level (PTAL) rating of 3, which is considered to be moderate. Buses to Shepherd's Bush, Hammersmith and Acton can be taken from Uxbridge Road, a short walk to the south, and the nearest Underground station is East Acton, which about 15 minutes' walk from the site to the north.

1.3 The site is not located within, or adjacent to, a conservation area and is not subject to any other heritage designations. The borough boundary with the London Borough of Ealing (LBE) runs down the centre of Old Oak Road. There are no conservation areas or designated heritage assets within LBE that stand to be affected by the development.

1.4 The site's vulnerability to flooding from the Thames is very low, and the site is within the Environment Agency's Flood Zone 1.

## 2.0 RELEVANT PLANNING HISTORY

2.1 The site's planning history suggests that the existing two-storey house and single-storey detached garage on the site date from the 1960s.

2.2 Two recent applications, both from 2017, for demolition of the existing house and garage and the site's redevelopment for housing were withdrawn before determination, following advice from Officers that there were significant concerns with the proposals (application Refs. 2017/00987/FUL and 2017/02424/FUL).

2.3 The current application is for demolition of the existing detached house and garage, erection of a replacement three storey building comprising of 6 self-contained residential flats (1 x 1 bedroom, 5 x 2 bedroom) with balconies at first and second floor levels; erection of a two storey detached 3 bedroom dwellinghouse; erection of associated cycle and bin storage enclosures; landscaping works including new off-street parking; and a new boundary wall to Old Oak Road and Aldbourne Road.

## 3.0 PUBLICITY AND CONSULTATION RESPONSES

3.1 The current application was first submitted in May 2019. The original proposals received five objections from local residents at Nos. 2, 4, 8 and 18 Aldbourne Road and No. 1 Sedgeford Road, raising the following concerns:

- Proposed design and materials of the new buildings would be ugly and intrusive;
- Scale and form of building is out of keeping with neighbouring properties;
- Density is too high with too many flats;
- Insufficient provision is made for disabled access;
- Overlooking to neighbouring properties;
- Imposing building would block light and outlook to neighbours;
- Increase in traffic congestion and parking stress;
- Loss of open green space;
- Not enough consideration has been given to the general amenities of the new flats.

3.2 The scheme has since been changed and revised drawings were received in December 2019. The key changes to the proposals are as follows:

- The building on the corner of Old Oak Road and Aldbourne Road (the flats) has been reduced in height, and is now similar in height to the neighbouring property at No. 16 Old Oak Road;
- Inverted dormer balcony to rear elevation of the flats building removed;
- Roof materials changed to a more traditional grey slate, contrasting with the facing red brickwork;
- Changes to the proportions of the ground floor of the flats building;
- Improvements to the detailed design of window and door openings.

3.3 Residents were consulted on the revised proposals by letter dated 14th January. 12 objections have been received to the revised proposals from Nos. 1, 2, 4, 5, 6, 8, 10, 15 and 18 Aldbourne Road, 1 Sedgford Road and 2 Aycliffe Road.

3.4 Concerns raised were as follows:

- Loss of light and privacy for neighbours;
- Overdevelopment of the site, loss of green space, impact on biodiversity;
- Increased congestion, parking stress and air pollution;
- Car-free development is impossible to enforce;
- New flats would be poor quality with lack of amenity space;
- Impact on street trees;
- Buildings are not sufficiently detailed and the materials are not in keeping;
- New flats are not accessible;
- Allocation for cycles and bins is unclear;
- Car parking space for new house is not practical;
- Loss of property value for neighbours.

3.5 The planning matters raised in the objection comments will be addressed in the report below. The impact of a development on local property prices is not a material planning consideration.

3.6 Thames Water responded with no objections subject to conditions regarding water capacity infrastructure.

3.7 The Metropolitan Police's Crime Prevention Design Advisor and the London Borough of Ealing were also consulted but did not respond.

## 4.0 PLANNING CONSIDERATIONS

4.1 The relevant planning considerations in this case, to be assessed against the policies in the National Planning Policy Framework (NPPF, 2019), The London Plan (2016) and the Council's Local Development Framework, comprising the Local Plan (2018) and Planning Guidance Supplementary Planning Document (2018).

- The principle of the development, in land use terms, including residential density;
- The design and appearance of the development, including its impact on the street scene;
- The contribution that the new units would make to the borough's housing stock, including the quality of the new accommodation to be provided;
- The impact of development on neighbours' living conditions;
- The impact of the development on parking demand and on the highway;
- Sustainable design and construction, and energy use;
- Environmental matters including air quality, flood risk, and land contamination.

### LAND USE

4.2 The proposals would see an intensification of the existing residential use on the site. The increased residential density is to be considered in the first instance against the Sustainable Residential Quality (SRQ) index set out in Policy 3.4 of the London Plan (2016) and Policy HO4 of the Local Plan (2018). Officers consider the area is generally 'urban' with predominantly dense development (terraced houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of two to four storeys). However, the site's immediate setting, particularly on Old Oak Road to the north, is slightly more suburban in character, with detached and semi-detached houses, smaller building footprints and larger gardens (albeit with higher density development a short distance away).

4.3 The proposed residential density for this scheme would be approximately 116 units per hectare. This slightly exceeds the upper limit recommended by the London Plan's SRQ index for a suburban setting (50-95 u/ha) but falls comfortably within the recommended range for an urban setting of the same PTAL (70-170 u/ha). Considering the site's setting is somewhere between these, the proposed density is considered to be in accordance with the SRQ index. Other factors relevant to optimising the site's potential for housing must be considered, including local context, design, and transport capacity; as well as social infrastructure and the availability of open space locally.

4.4 Policy H2 of the Draft London Plan (the 'small sites policy') introduces a presumption in favour of the type of small housing development this proposal represents. Whilst the policy has not yet been adopted, it makes clear that London's suburban areas will need to accommodate additional housing provision in future and that local authorities should pro-actively support densification of these areas through the redevelopment of existing buildings and infill development within the curtilage of dwellings. This will become especially important in light of the increased housing targets within Policy H1 of the draft London Plan, which is 1,609 new units per year for Hammersmith and Fulham.

4.5 Officers consider the subject site to be suitable for densification. The site is larger than average for a single dwelling with a large curtilage; at present, less than 20% of the

site is covered by buildings. The existing house is also an outlier in the street scene in terms of its height and scale (which is considerably smaller than neighbouring dwellings) and its unusual design, which is of no particular architectural merit. By contrast, corner sites are usually capable of accommodating larger, more prominent buildings than mid-terrace sites. The site's corner position also means any new building could benefit from two street-facing elevations, meaning a larger number of habitable rooms can be accommodated on the site than a plot in the middle of a terrace (the proposed development takes advantage of this). The site has a PTAL rating of 3, indicating moderate access to public transport and Officers consider it would not be necessary for the future occupants to own a car, meaning the development could be parking-permit free.

4.6 Concerns have been raised by residents about the loss of green space on the site. As noted above, only 20% of the site is currently covered by buildings, which would increase to around 40% as a result of the proposed development. The remaining 60% would be landscaped. Although the council does not have a specific policy regarding new development on garden ground, Policy OS5 of the Local Plan (2018) seeks to enhance biodiversity and green infrastructure in the borough, by maximising the provision of gardens, garden space and soft landscaping. Back, front and side gardens do play an important part in maintaining biodiversity as well as contributing to the townscape and quality of life. In this case, Officers are satisfied that a significant amount of the site would remain green and open; a greater proportion than is given over to garden space for most dwellings in the borough. The open space on site would include a large area to the front of the buildings on Old Oak Road, offering scope for new planting, including new trees, to contribute to the street scene.

4.7 Given the potential of the site to support additional housing, the key considerations in respect of the proposed scheme are design; impact on neighbours; and impact on the local highways network. These matters will be assessed in the report below. Provided the scheme is acceptable in these respects, no objections are recommended to be raised to the principle of the proposed increase in residential density, in terms of Local Plan (2018) Policies HO1 and HO4 and Policy 3.4 of the London Plan (2016).

## AFFORDABLE HOUSING

4.8 Local Plan (2018) Policy HO3 seeks affordable housing on sites with the capacity for providing 11 or more self-contained units. In this case, the proposed development provides a total of 7 residential units (a net increase of 6) and at least 4 more would be required before a contribution towards affordable housing could be sought. Officers consider that the number of units could not be so increased without compromising the visual acceptability of the buildings, the impact on neighbouring properties, and the quality of accommodation for future occupiers. For the reasons explained below, the design of the proposed scheme is considered to achieve a good balance, providing increased density through a building that is still in keeping with its surroundings in terms of scale and design.

## DESIGN CONSIDERATIONS

4.9 There is no objection to the loss of the 1920/30s-style house (built in the 1960s) which does not enjoy any heritage protection, and which does not have any special merits that would justify its consideration as an undesignated heritage asset. While the house is not part of a uniform terrace or pair of houses and is of different planform,



proportions and appearance, it still relates to its immediate neighbourhood that is characterised by Victorian and 1920/30s suburban semi-detached and detached houses, with projecting bays, continuous low boundary walls and hedges, and generous front and rear gardens. The ground floor of the current house sits approximately 1 metre below street level and therefore appears lower than its neighbours in the townscape.

4.10 The wider townscape of Old Oak Road is diverse, with short Victorian terraces and modern blocks of 2-4 storey heights breaking up the uniformity of the semi-detached Edwardian houses with generous front gardens. The predominant building materials are red brick with white rendered features such as bays, porches and window surrounds, as well as mock-Tudor style features and overhanging roofs with deep eaves typical of early 20th Century semi-detached houses. The roofscape generally is a prominent element in the townscape emphasised by gables, dormers and chimneys. Due to the variety of house styles on the eastern side of Old Oak Road - on the same side as the application property - there are variations in architectural features, materials and the building lines along the road, however, the generous front gardens provide an overall harmonious streetscape. In contrast, Aldbourne Road is characterised by short terraces of small-scale Edwardian houses with small front gardens and uniform building lines, roof forms, fenestration and rhythm of bays.

4.11 The proposal is for a residential block with a larger footprint than the existing house, located near the corner of the two roads. The massing is arranged to resemble the examples of Victorian town houses in the street that reduce in height and scale towards the rear of the site. It would be set back into the site to approximately the same degree as its neighbours. The existing gap to the neighbour at No 16 Old Oak Road would be maintained. The proposed height of the block would not exceed that of the neighbouring pairs of houses and remain below the height of nearby Victorian town houses. In this way the design of the building does much to mitigate the visual impact of the increased residential density on the site.

4.12 The proposed detached house would be located at the rear boundary replacing an existing garage and continuing with a similar setback from the street as the existing neighbouring terrace in Aldbourne Road, but with a narrow gap to acknowledge the different style. Historically, gaps between terraces are typical where different terrace styles meet.

4.13 For both buildings, the applicants are seeking a contemporary design approach that combines locally relevant features such as gabled bays, mansard roofs and red brickwork with modern characteristics such as simpler fenestration and contrasts achieved by decorative brick detailing rather than great variations of materials and colour. In the attempt to compromise between contextual integration into the townscape and contemporary appearance, the design of the buildings appears fairly simple and unrefined. However, there are some clear references to the existing townscape character - the distinction between main frontage, diminishing scale of the side elevation, and the gap to the single house in Aldbourne Road, as well as the gables and steps in the elevations that integrate the development sufficiently into the diverse townscape. Officers do not consider the contemporary aspect of the design to be of particular visual interest in this case, however, given that the wider Old Oak Road context is diverse, the overall appearance of the proposals is not considered to harm the townscape.

4.14 An indicative landscaping layout plan has been submitted with the application, including details of species and planting schedules. The existing boundary treatment is a dilapidated 2-metre high timber fence, which is proposed to be replaced by a low brick wall with a black decorative railing on top. This would be in keeping with the general style of traditional boundary treatments in the area, and would improve the appearance of the site by making it more open.

## QUALITY OF ACCOMMODATION

4.15 All of the units would comply with the London Plan's (2016) internal space requirements, as follows:

- Flat 01 - 1B 2P - 59sq.m (patio 9.1 sq.m.)
- Flat 02 - 2B 3P - 61sq.m (patio 6.5 sq.m)
- Flat 03 - 2B 3P - 61sq.m (balcony/winter garden 5.6 sq.m)
- Flat 04 - 2B 3P - 61sq.m (balcony 6.5 sq.m)
- Flat 05 - 2B 3P - 61sq.m (no external amenity space)
- Flat 06 - 2B 3P - 61sq.m (balcony 6.5 sq.m)
- House - 3B 6P - 130 sq.m (private garden 47 sq.m)

4.16 All of the units, except for Flat 5, would benefit from some private external amenity space, whether in the form of a garden, patio or balcony. This is considered to be good for a relatively constrained site and no objections would be raised on the grounds of non-provision of private amenity space for Flat 5, given that the development would also benefit from a very good amount of shared amenity space in the form of two communal gardens (front and rear). As such no objections are raised in terms of Key Principle HS1 of the Planning Guidance SPD (2018).

4.17 No concerns are raised about the amount of light that would be received by the new units, given they are all dual aspect and south or east/west facing windows are provided for habitable rooms. The only rooms with exclusively north-facing windows within the flat building are bathrooms/storage cupboards. Within the house, one bedroom at first floor level would be served by a north-facing window, however because bedrooms have a lesser requirement for daylight than other habitable rooms, no objections are recommended to be raised solely on these grounds.

4.18 A condition is attached requiring enhanced sound insulation (at least 5dB above current building regulations requirements) to be installed between the flats, to prevent noise disturbance between rooms of different uses in adjacent flats in accordance with Policy CC11 of the Local Plan (2018).

## ACCESSIBLE AND INCLUSIVE DESIGN

4.19 Policy HO6 of the Local Plan (2018) and Key Principles DA1-DA8 of the Planning Guidance SPD (2018) are relevant in respect of accessible and inclusive design. The development would provide one wheelchair adaptable unit at ground floor level within the flat building. Access to this flat would be via the northern/rear entrance, with step-free access provided by way of a ramped path from Aldbourne Road. Owing to the level change between the pavement and the ground floor of the flats, it is accepted that it would not be possible to provide step-free access via the main entrance off Aldbourne Road, or from Old Oak Road, but the proposed arrangement is considered to be an

acceptable compromise. A condition is recommended requiring the remainder of the units to comply with Part M4(2) of the current Building Regulations (Condition 32).

## IMPACT ON NEIGHBOURING PROPERTIES

4.20 The properties that stand to be the most impacted by this development include Nos. 19 and 21 Old Oak Road (on the opposite side of the road); No. 12 Old Oak Road (on the opposite side of Aldbourne Road, immediately to the south); No. 16 Old Oak Road (adjacent to the north) and No. 1 Aldbourne Road (adjacent to the east).

+ 19 and 21 Old Oak Road:

4.21 The houses on the opposite side of Old Oak Road are within the London Borough of Ealing (LBE). LBE was consulted on the application but did not respond. The separation distance between these properties and the proposed new building is over 25 metres and Officers consider that the additional height and bulk of the new building would not give rise to any significant impacts in terms of outlook or light to these properties. A diagram included within the submitted Daylight, Sunlight and Shading Analysis (prepared by ERS Consultants) demonstrates that the BRE's initial 25-degree test would be complied with for these properties, and so there is no further requirement for any further tests to be carried out with regards to light. Officers consider the development would not give rise to any new or increased opportunities for overlooking, over and above the typical relationship established by residential properties facing each other along the rest of Old Oak Road. The minimum privacy separation distance of 18 metres would also be complied with, in accordance with Key Principle HS7 of the Planning Guidance SPD (2018).

+ 12 Aldbourne Road:

4.22 No.12 Aldbourne Road is sited due south of the proposed development and has windows in its north elevation, facing the application site. The separation distance between this property and the proposed new buildings is over 20 metres and Officers consider that the additional height and bulk of the new building would not give rise to any significant impacts in terms of outlook or light to these properties. A diagram included within the submitted Daylight, Sunlight and Shading Analysis demonstrates that the BRE's initial 25-degree test would be complied with, and so there is no further requirement for any further tests to be carried out with regards to light. The development would not give rise to any new or increased opportunities for overlooking, as the minimum separation distance of 18 metres would also be complied with, in accordance with Key Principle HS7 of the Planning Guidance SPD (2018).

+ 16 Old Oak Road:

4.23 No. 16 Old Oak Road is immediately adjacent to the application site to the north. The submitted Daylight, Sunlight and Shading Analysis considers the impact of the proposed development on the rear windows of No.16, as well as three windows in the side (south) elevation facing the application site. The results show that there would be no significant impact on daylight to the rear windows.

4.24 By contrast, the results indicate that the impact on daylight to the three tested side windows of No. 16 in terms of the Vertical Sky Component (VSC) test would be as follows:

- Window 5 (ground floor) - proposed VSC 0.36 times its former value;
- Window 6 (first floor) - proposed VSC 0.51 times its former value;
- Window 7 (first floor) - proposed VSC 0.51 times its former value.

4.25 The impact to these windows in terms of VSC would therefore be significant. The results of the No Sky Line (NSL) test also show that the area of sky view from the room served by the two first floor windows would be reduced to 0.63 times its former value. This room is understood to be a bathroom (this assumption is made on the basis that the floor plan of No. 16 very likely mirrors that of No. 18 Old Oak Road, which has been gleaned from planning records) and therefore, the impact on daylight to this room, whilst significant, is not considered to justify refusal of the application given that it is not a habitable room.

4.26 Officers note there are two additional windows in the side elevation of No. 16 at ground floor level, towards the front of the property, which have not been tested within the report. However, these windows are understood to serve circulation space, based on the plans for No. 18 (this would appear to be logical, given the location of the front door). It can be reasonably assumed that the impact on daylight to these windows will be similar to the impact for the ground floor window which has been tested. However, as noted above, these windows are not understood to serve habitable rooms and no objections are recommended to be raised on this basis.

4.27 Furthermore, the existing house on the subject site is lower than No. 16, and it may be argued that No. 16's south-facing side windows currently benefit from a disproportionate amount of light as a result, compared to the amount of light that might otherwise be received if the neighbouring property was of the same height and scale. Therefore the reduction in light is that much more noticeable compared to if there was an existing building of the same scale next to it, as is more typical for the rest of the street.

4.28 The Daylight, Sunlight and Shading Analysis also assesses the impact of the proposed development on overshadowing to No. 16 Old Oak Road's rear garden. It demonstrates that the proposed area of the garden with less than 2 hours of sun on 21 March would be 0.86 times its existing value. This change is not likely to be significantly noticeable to the occupants.

4.29 Officers are also satisfied that the development would not lead to any significant loss of outlook or increased sense of enclosure for the occupants of No. 16. The bulk of the building that extends beyond their rear elevation is mostly stepped away from the boundary and chamfered so that an angle of 45-degrees taken from the mid-point of the nearest window is not infringed. The rear garden would retain a strong sense of openness in both directions.

4.30 The new balconies on the north side of the new building would feature 1.7-metre high obscurely glazed privacy screens on this side, to ensure there would be no loss of privacy or overlooking into No. 16's rear windows or garden. The balconies are relatively small (6.8sq.m.) and their use should not result in significant noise and disturbance. There would be new windows in the rear elevation of the proposed detached house at first floor level, however these would only overlook a relatively small part of the neighbours' garden, at the very end, and the house is angled so as to face away from the rear elevation of No. 16 itself. For these reasons, Officers are satisfied

that on balance the development would not be unneighbourly for the occupants of No. 16.

+ 1 Aldbourne Road:

4.31 No. 1 Aldbourne Road is a two-storey dwelling adjacent to the application site to the west. Its main gable wall is blank, however the house has an original two-storey outrigger which has east-facing windows at first and second floor levels. No part of the proposed development would be within the direct line of sight of these windows, but the two-storey house would be visible.

4.32 The submitted light analysis suggests that only one window at No. 1 Aldbourne Road would be subject to a significant reduction in daylight when the VSC test is applied (Window 5, ground floor, proposed VSC 0.48 times its former value). Officers are not concerned about the overall impact on daylight to this room, considering it is a small window to a tri-partite bay window. The No-Sky Line test results for the room do not suggest that it will be noticeably impacted.

4.33 The Daylight, Sunlight and Shading Analysis also assesses the impact of the proposed development on overshadowing to No. 1's rear garden. It demonstrates that the proposed area of the garden with less than 2 hours of sun on 21 March would be 0.93 times its existing value. This change is not likely to be significantly noticeable to the occupants.

4.34 Considering the location of the proposed house relative to No. 1, Officers are satisfied that no part of the proposed development will result in a significant impact in terms of outlook or sense of enclosure. The new two-storey house would be located adjacent to the blank flank wall of No. 1, and the bulk of the new house would be visible only in oblique views from the windows within their outrigger. Officers are also satisfied that there would be no loss of privacy as a result of overlooking from the new rear windows into the outrigger of No. 1 Aldbourne Road.

## DEMOLITION AND CONSTRUCTION IMPACTS

4.35 Concern has been raised by local residents with regards to the impact of the construction phase on nearby properties. In order to mitigate any adverse impacts as far as possible, a condition (5) is proposed requiring a Demolition Method Statement and a Construction Management Plan to be agreed with the council prior to works commencing on site, including controls on matters including noise, vibration, lighting, delivery locations, and restriction of hours of work.

4.36 A condition (6) is also proposed requiring a Demolition and Construction Logistics Plan (CLP) to be submitted and agreed with the council prior to works commencing on site, to ensure that the construction phase does not adversely impact on local highways, in accordance with Policy T7 of the Local Plan (2018).

## FLOOD RISK AND SUSTAINABLE DRAINAGE

4.37 The site is within the Environment Agency's flood zone 1 and is considered to be at low risk of flooding. The application provides information on the proposal for surface water drainage, including porous paving to be integrated for the hard surfaces. Surface water run-off will also be drained to a storage tank from where it will drain at a controlled

low rate to the sewer system. The proposals reduce the volume and rate of flow of surface water run-off into the sewer network. No objections would be raised subject to the proposed surface water management measures being implemented and maintained as outlined, and a condition (23) is included in this respect, in accordance with Policies CC3 and CC4 of the Local Plan (2018).

4.38 Thames Water responded with comments that they have identified an inability of the existing combined water infrastructure to accommodate the needs of this development proposal. A condition (31) is recommended requiring confirmation that either all combined water network upgrades required to accommodate the additional flows from the development have been completed; or a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied.

## LAND CONTAMINATION

4.39 Planning records indicate that this site was formerly associated with a motor works and petrol filling station and accordingly Officers recommend that conditions (7-12) be imposed requiring appropriate contamination studies and any subsequent remediation works to be carried out in order to ensure that no unacceptable risks are caused to humans, controlled waters, or the wider environment during and following the development works, in accordance with Policies CC9 and CC13 of the Local Plan (2018).

## TREES

4.40 There is a line of mature street trees immediately adjacent to the site boundary on Aldbourne Road. All are proposed to be retained. A condition (26) is proposed recommending compliance with the submitted Arboricultural Report, to ensure that no harmful impacts occur to the trees, in accordance with Policy OS5 of the Local Plan (2018).

## HIGHWAYS IMPACTS, CYCLE PARKING, REFUSE STORAGE

### Car free development

4.41 Policy T4 of the Local Plan (2018) requires all new development to conform to the car parking standards of the London Plan (2016). The site has a moderate PTAL rating of 3. One-off street parking space would be provided for the new house within the front forecourt, which is acceptable on the basis that the garage building on the site already provides at least one off-street parking space. Car parking permit-free restrictions would be imposed on the occupiers of all of the units, in accordance with Policy T4 of the Local Plan (2018). Prohibition of future residents to obtain parking permits is to be secured through a legal agreement, pursuant to section 16 of the Greater London (General Powers) Act 1974. This is to ensure the development would not result in harm to existing on-street parking stress levels, to the detriment of existing residents.

### Bicycle parking

4.42 To be in accordance with Policy T3 of the Local Plan (2018), the proposed development must provide a minimum of 11 cycle parking spaces for the flatted development and a further two spaces for the detached house. The location of the cycle

storage area for the flats is indicated as being adjacent to the northern boundary within the communal garden area, accessed directly from Aldbourne Road, which is considered to be a suitable location. For the house, cycles would be stored within the private side garden, again directly accessible from Aldbourne Road. A condition (25) is recommended requiring provision of the cycle storage to be made prior to occupation, and permanently retained for the lifetime of the development.

## Refuse and recycling

4.43 The proposal provides communal refuse and recycling storage within the garden for the flats, near to the road to enable easy access for waste crews from Aldbourne Road. The bin storage for the detached house is proposed within their side garden, which also provides convenient access for collection. For the flats, nine 100L dustbins are proposed and an additional four dustbins are proposed for the house, which is considered sufficient for both refuse and recycling for the new units in accordance with Key Principle WM7 of the Planning Guidance SPD (2018). A condition (24) is recommended requiring provision of the refuse storage to be made prior to occupation, and permanently retained for the lifetime of the development.

## AIR QUALITY

4.44 The whole borough is designated as an Air Quality Management Area (AQMA) and the development site is in an area of very poor air quality due to the road traffic emissions from Old Oak Road. The development proposal will introduce new residential receptors into an area of poor air quality. Further mitigation measures are required to make the development acceptable in accordance with Local Plan (2018) Policy CC10. Conditions are recommended regarding a scheme of mechanical ventilation for the new units (Conditions 19 and 20); details of Air Source Heat Pumps or electric boilers for space heating and hot water (Condition 22); and the provision of an electric vehicle charging point for the single house's parking space (Condition 30).

## PLANNING OBLIGATIONS/ LEGAL AGREEMENT

4.45 In dealing with planning proposals, local planning authorities consider each on its merits and reach a decision based on whether the application accords with the relevant development plan, unless material considerations indicate otherwise. Where applications do not meet these requirements, they may be refused. However, in some instances, it may be possible to make acceptable development proposals which might otherwise be unacceptable, through the use of planning conditions or, where this is not possible, through planning obligations. London Plan (2016) Policy 8.2 recognises the role of planning obligations in mitigating the effects of development and provides guidance on the priorities for obligations in the context of overall scheme viability.

4.46 In this instance, a legal agreement would be required to ensure future residents of all of the new units are not eligible to hold parking permits, to be secured through section 16 of the Greater London (General Powers) Act 1974.

## COMMUNITY INFRASTRUCTURE LEVY

4.47 This development would be subject to the London-wide Community Infrastructure Levy. The Mayor's new CIL charging schedule (MCIL2) came into effect on 1st April 2019 and will be used to fund Crossrail 1 and Crossrail 2. As the Collecting Authority,

the Council is expected to secure the levy in accordance with London Plan (2016) Policy 8.3 and is chargeable at £80 per sq.m. uplift in floorspace, regardless of the use.

4.48 In addition, the development would also be subject to the Borough's own local CIL, which is to help pay for facilities and community services such as transport, schools, health services and open space. Local CIL is chargeable at £100 per sq.m. for a residential development in this part of the borough.

4.49 The application indicates that the development would provide 420sq.m. of new floorspace. It is estimated that the proposed development would be liable for a Mayoral CIL payment of £33,600 and a local borough CIL payment of £42,000 (a total of £75,600 plus indexation).

## 5.0 CONCLUSIONS AND RECOMMENDATION

5.1 For the reasons given above, it is considered that the proposal would be of an acceptable appearance. The design of the building would be appropriate in the context of its surroundings and would not have a detrimental impact upon the existing residential amenities of surrounding occupiers or on traffic generation in the area. The proposal would result in a net increase in the provision of residential accommodation and would provide an acceptable standard of accommodation for its occupiers. In these respects, and subject to conditions and a legal agreement, the proposal is considered acceptable in accordance with Policies 3.3, 3.4, 3.5, 3.12 and 8.2 of the London Plan (2016) and Policies HO1, HO3, HO6, DC1, DC2, T3, T4, T7, CC1, CC2, CC3, CC4, CC7, CC9, CC10, CC11, CC12 and CC13 of the Local Plan (2018).

5.2 Officers recommend that:

- the Committee resolve that the Strategic Director, The Economy Department be authorised to grant permission upon the completion of a satisfactory legal agreement and subject to the recommended conditions; and
- 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 heads of terms of the legal agreement or conditions which may include the variation, addition or deletion of the conditions, any such changes shall be within their discretion.