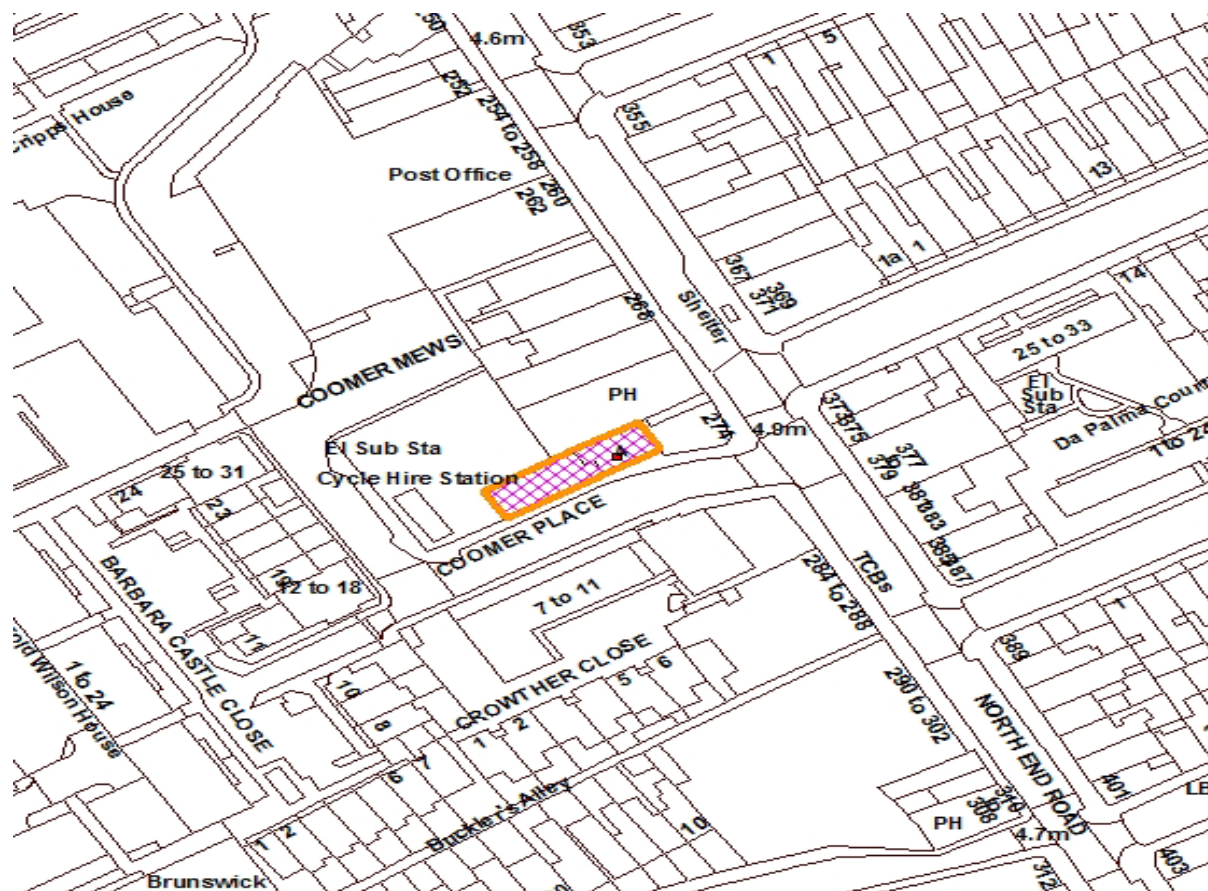


Ward: Fulham Broadway

Site Address:

4 Coomer Place London SW6 7EX



© Crown Copyright. All Rights Reserved. London Borough Hammersmith and Fulham LA100019223 (2013).

For identification purposes only - do not scale.

Reg. No:

2021/02110/FUL

Case Officer:

Steven Mielczarek

Date Valid:

25.06.2021

Conservation Area:

Committee Date:

07.12.2021

Applicant:

Coomer Developments Ltd
Mullinaragher House Rheast Road Santon IM4 2HR
Isle of Man

Description:

Demolition of the existing building and erection of a new part three storey, part four storey residential building providing 7no. self-contained flats (2 x 1 bedroom, 5 x 2 bedrooms), together with private amenity spaces, and bin and bicycle storage arrangements.

Application Type:

Full Detailed Planning Application

Officer Recommendation:

- 1) That the Committee resolve that the Chief Planning Officer be authorised to grant permission subject to the condition(s) listed below:
- 2) That the Committee resolve that the Chief Planning Officer, after consultation with the Assistant Director, Legal Services and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed Heads of Terms of the legal agreement or conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.

Conditions:

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

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

- 2) The development shall not be erected otherwise than in accordance with the following approved drawings:

100.05 Rev D; 100.06 Rev B; 100.07 Rev. B; 100.08. Rev D; 100.09 Rev. C;
300.04 Rev B; 300.05 Rev D; 300.06 Rev E; 300.13 Rev. A; 500.01 Rev. B;
500.02 Rev. B; 500.03; 500.04.

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

- 3) 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. Details shall include control measures for dust, noise, vibration, lighting, delivery locations, restriction of hours

of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800 -1300 hrs on Saturdays with no works permitted on Sundays and Bank Holidays, advance notification to neighbours and other interested parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works. Approved details shall be implemented throughout the project period.

To 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).

- 4) A Construction Logistics Plan shall be submitted to, and approved in writing by the Council, prior to the commencement of above ground works. This plan should be based upon the TfL Construction Logistics Plan (2017). The details shall include the numbers, size and routes of construction vehicles and how it will be managed to ensure that highway network will not be blocked during the construction stage and details of other matters relating to traffic management to be agreed with the Network Management and the Permit Coordinators of the council shall also be submitted. Approved details shall be implemented throughout the project period and any changes to the document must be reported back to the council's planning and highways department.

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, SPD Key Principle TR21 and London Plan 2021 T7.

- 5) 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).

- 6) 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).

- 7) 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)

- 8) 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).

- 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 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).

- 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 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).

- 11) Prior to commencement of the relevant works, 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).

- 12) Prior to occupation of the development hereby approved details of how the development has be constructed to Secured by Design Standards shall be

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

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

- 13) Prior to commencement of above ground works of the Residential (Use Class C3) development hereby permitted, a Ventilation Strategy Report to mitigate the impact of existing poor air quality for all receptor locations where the air quality objectives for Nitrogen Dioxide (NO₂) and World Health Organisation (WHO) air quality guideline (2005) values for Particulate Matter (PM_{2.5}, PM₁₀) are already exceeded and where current and future predicted pollutant concentrations are within 5 % of these limits shall be submitted to and approved in writing by the Local Planning Authority. The report shall include the following information:
- a. Details and locations of the ventilation intake locations at rear roof level or on the rear elevations of all residential floors;
 - b. Details and locations of ventilation extracts, to demonstrate that they are located a minimum of 2 metres away from the air ventilation intakes, openable windows, terraces;
 - c. Details of restricted opening windows (100mm maximum opening for emergency purge ventilation only) for all habitable rooms (Bedrooms, Living Rooms) and winter gardens on all residential floors;
 - d. Details of the independently tested mechanical ventilation system with Nitrogen Dioxide (NO₂) and Particulate Matter (PM_{2.5}, PM₁₀) filtration with ventilation 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 (PM_{2.5}, PM₁₀) in accordance with BS EN ISO 10121-1:2014 and BS EN ISO 16890:2016.

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

In the interests of air quality in accordance with Policy CC10 of the Local Plan (2018) and Policy SI 1 of the London Plan (2021).

- 14) Prior to occupation of the Residential (Use Class C3) development hereby permitted, details of a post installation compliance report of the approved ventilation strategy as required by condition 13 shall be submitted to and approved in writing by the Local Planning Authority. The report shall be produced by a Chartered Building Services Engineer (CIBSE). Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

In the interests of air quality, in accordance with Policy CC10 of the Local Plan (2018) and Policy SI 1 of the London Plan (2021).

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

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

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

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

- 17) Prior to occupation of the of the Residential (Use Class C3) development hereby permitted, details of the installation certificates of the Zero Emission MCS certified Air/ Water Source Heat Pumps or Electric Boilers to be provided for space heating and hot water for each of the seven self-contained residential units shall be submitted to and approved in writing by the Local Planning Authority. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

In the interests of air quality, in accordance with Policy CC10 of the Local Plan (2018) and Policy SI 1 of the London Plan (2021).

- 18) 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 Flood Risk Assessment (Elliot Wood Ltd 11/06/21). 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).

- 19) Prior to occupation of the development hereby permitted, details of the proposed green roof must be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be used or occupied until the green

roof has been installed in accordance with the submitted details and the development shall be permanently retained in this form thereafter.

To reduce run-off surface water into the drainage system, in accordance with Policies CC4 of the Local Plan (2018).

- 20) 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. 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).

- 21) No part of the development hereby approved shall be occupied until provision has been made for the storage of 16 cycles for the flats, in the form of the dedicated storage area at ground floor level as indicated on the approved drawing. Thereafter the provision for cycle storage shall be permanently maintained in this form for the lifetime of the development. Cycle parking should comply with requirements set in latest London Cycling Design Standards and West London Cycle Parking Guidance 2017.

To ensure satisfactory provision for cycle storage in accordance with London Plan 2021 Policy T5.

- 22) 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).

- 23) Other than the areas explicitly identified on the approved drawings as a balcony/winter garden and terrace, 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 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 (except for maintenance of green roof, planter and solar panels).

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).

- 24) 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).

- 25) No piling shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

The proposed works will be in close proximity to underground sewerage utility infrastructure, and to avoid sewer flooding and/or pollution incidents, in accordance with Policy CC3 of the Local Plan (2018).

- 26) Flat No.2 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). The unit 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 D7 of the London Plan (2021).

- 27) Prior to the commencement of the demolition phase of the development hereby permitted, details of Nitrogen Oxides (NO_x) and Particulate (PM₁₀, PM_{2.5}) emission control of Non-Road Mobile Machinery (NRMM) and On Road Vehicles in order to mitigate air pollution shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:

- a. Details of the Non-Road Mobile Machinery (NRMM) used on the site with CESAR Emissions Compliance Verification (ECV) identification that shall comply with the minimum Stage IV NO_x and PM₁₀ emission criteria of The Non-Road Mobile Machinery (Type-Approval and Emission of Gaseous and Particulate Pollutants) Regulations 2018 and its subsequent amendments. This will apply to both variable and constant speed engines for both NO_x and PM. An inventory of all NRMM for the first phase of demolition shall be registered on the NRMM register <https://london.gov.uk/non-road-mobile-machinery-register> prior to commencement of demolition works and thereafter retained and maintained until occupation of the development;
- b. Details of the use of on-road London Ultra Low Emission Zone (ULEZ) compliant vehicles from on-site contractors and suppliers of services and materials to the site e.g. minimum Petrol/Diesel Euro 6 (AIR Index Urban NO_x rating A) and Euro VI;

Developers must ensure that on-site contractors follow best practicable means to minimise dust, particulates (PM10, PM2.5) and NOx emissions at all times in compliance with Mayor of London 'The Control of Dust and Emissions during Construction and Demolition', SPG, July 2014. Approved details shall be fully implemented and permanently retained and maintained during the demolition phases of the development.

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

- 28) Prior to the commencement of the construction phase of the development hereby permitted, details of Nitrogen Oxides (NOx) and Particulates (PM10, PM2.5) emission control of Non-Road Mobile Machinery (NRMM) and On Road Vehicles in order to mitigate air pollution shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:
- a. Details of the Non-Road Mobile Machinery (NRMM) used on the site with CESAR Emissions Compliance Verification (ECV) identification that shall comply with the minimum Stage IV NOx and PM10 emission criteria of The Non-Road Mobile Machinery (Type-Approval and Emission of Gaseous and Particulate Pollutants) Regulations 2018 and its subsequent amendments. This will apply to both variable and constant speed engines for both NOx and PM. An inventory of all NRMM for the first phase of demolition shall be registered on the NRMM register <https://london.gov.uk/non-road-mobile-machinery-register> prior to commencement of demolition works and thereafter retained and maintained until occupation of the development;
 - b. Details of the use of on-road London Ultra Low Emission Zone (ULEZ) compliant vehicles from on-site contractors and suppliers of services and materials to the site e.g. minimum Petrol/Diesel Euro 6 (AIR Index Urban NOx rating A) and Euro VI;

Developers must ensure that on-site contractors follow best practicable means to minimise dust, particulates (PM10, PM2.5) and NOx emissions at all times in compliance with the Mayor of London 'The Control of Dust and Emissions during Construction and Demolition', SPG, July 2014. Approved details shall be fully implemented and permanently retained and maintained during the demolition phases of the development.

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

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

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

- 30) All external entrance doors to the building, facing Coomer Place hereby approved shall be designed and installed so that they only open inwards, and shall thereafter be retained in this form.

To prevent an obstruction to the safe movement of pedestrians and vehicles in accordance with Policy T1 of the Local Plan (2018).

Justification for Approving the Application:

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 (2021) Policy D6, 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 (2021) Policies D3 and D4 which seek a high quality in design and architecture, requiring new developments to have regard to the pattern and grain of existing development. The setting of the nearby Grade II Listed Building No. 282 North End Road would be preserved, in accordance with Policy DC8 of the Local Plan (2018).
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).
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 net 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, T7 and CC7 and London Plan (2021) Policies T4, T5, T6 and T7.

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.
8. Planning Obligations: Planning obligations to offset the impact of the development and to make the development acceptable in planning terms are secured. The prohibition of any occupier to obtain a parking permit, and highways works are secured. The proposed development would therefore mitigate external impacts and would accord with London Plan (2021) Policy DF1 and Local Plan (2018) Policy CF1.

LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

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

Application form received: 24th June 2021
Drawing Nos: see above

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

Consultation Comments:

Comments from:

Thames Water - Development Control
Crime Prevention Design Advisor - Hammersmith

Dated:

01.07.21
20.07.21

Neighbour Comments:

Letters from:

Dated:

1.0 BACKGROUND

- 1.1 The application site is located on the north side of Coomer Place, close to the junction with North End Road. The existing three storey building is in use as a 4-bedroom single family dwelling and includes a large rear garden.
- 1.2 The surrounding area is mixed in character. To the north and west is a public car park. To the south, on the opposite side of Coomer Place is 282 North End Road (Grade II listed building) is in use as by local health services and 7-11 Crowther Place, a three-storey building is in mixed health and residential use. To the east,

the rear elevation of 274 North End Road a three-storey building in mixed commercial residential use.

- 1.3 The site has a Public Transport Accessibility Level (PTAL) rating of 4, which is considered to be good. The closest links are West Brompton overground station and the Fulham Broadway and Barons Court underground stations, as well as bus links on North End Road.
- 1.4 The site does not comprise any statutorily listed buildings or locally listed Buildings of Merit and is not located within a Conservation Area. However, No. 282 North End Road is a Grade II listed building. The site is located within the Fulham Town Centre and Fulham Regeneration Area
- 1.5 The site is within the Environment Agency's Flood Zone 2.

2.0 RELEVANT PLANNING HISTORY

2.1 Relevant planning history for the site includes:

- In 2004, planning permission (ref 2004/00929/FUL) was approved for the erection of an additional floor at roof level.
- In 2003, planning permission (ref 2003/02840/FUL) was refused for the erection of an additional floor at roof level.

3.0 CURRENT PROPOSAL

- 3.1 The current application proposes the demolition of the existing building and erection of a new part three storey, part four storey residential building providing 7no. self-contained flats (2 x 1 bed, 5 x 2 bed), together with private amenity spaces, and bin and bicycle storage arrangements.

4.0 PUBLICITY AND CONSULTATION RESPONSES

- 4.1 The application was advertised by site notice and 212 individual notification letters were sent to neighbouring properties. No responses were received.
- 4.2 Thames Water - raised no objections subject to conditions regarding the submission of a Piling Method Statement.
- 4.3 The Metropolitan Police's Crime Prevention Design Advisor - raised no objections subject to a condition requiring Secure by Design accreditation.

5.0 POLICY FRAMEWORK

- 5.1 The Town and Country Planning Act 1990, the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011 are the principal statutory considerations for town planning in England.
- 5.2 Collectively the three Acts create a plan led system which requires local planning authorities to determine planning applications in accordance with an adopted

statutory development plan unless there are material considerations which indicate otherwise (section 38(6) of the 2004 Act as amended by the Localism Act).

- 5.3 In this instance the statutory development plan comprises the London Plan (2021) and the Local Plan (2018). A number of strategic and local supplementary planning guidance and other documents are also material to the determination of the application.

National Planning Policy Framework (NPPF)

- 5.4 The NPPF came into effect on 27 March 2012 and was most recently revised in 2021 and is a material consideration in planning decisions. The NPPF, as supported by the Planning Practice Guidance (PPG), sets out national planning policies and how these are expected to be applied.
- 5.5 The NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up to date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

London Plan

- 5.6 The London Plan was published in March 2021. It sets out the overall strategic plan for London and a fully integrated economic, environmental, transport and social framework for the development of the Capital over the next 20-25 years. It forms part of the development plan for Hammersmith and Fulham

Local Plan

- 5.7 The Council adopted the current Local Plan on 28 February 2018. The policies in the Local Plan together with the London Plan make up the statutory development plan for the borough. The Planning Guidance Supplementary Planning Document (SPD) (February 2018) is also a material consideration in determining planning applications. It provides supplementary detail to the policies and is organised around key principles.

6.0 PLANNING ASSESSMENT

- 6.1 The relevant planning considerations in this case, to be assessed includes
- o Acceptability in in land use terms including residential density;
 - o Design and appearance;
 - o Quality of the new accommodation;
 - o Residential Amenity of neighbouring properties;
 - o Parking and highways;
 - o Environmental quality.

LAND USE

Housing Supply

- 6.2 London Plan Policy H1 sets ten-year targets for net housing completions that

each local planning authority should plan for. The annual target for this Borough over the next 10 years is 1,609. Policy H2 of the London Plan (2021) introduces a presumption in favour of the type of small housing development this proposal represents. 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

- 6.3 Policy HO1 (housing supply) seeks to exceed the London Plan (2016) minimum target of 1,031 additional dwellings a year up to 2025 and to continue to seek at least 1,031 additional dwellings a year in the period up to 2035. Notably, criteria (e) of HO1 requires the retention of existing residential units.
- 6.4 In this case, the proposals would result net gain of 6 units. The proposals would contribute to the Borough's housing targets in line with London Plan Policies H1 and H2 and Local Plan Policy HO1.
- 6.5 Policy H2 (Small sites) of the London Plan sets out that Boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan-making. The site is approximately 0.021 hectares in size and therefore represents a small site for the purpose of this policy. The proposal would provide 7 units on a small site and would make efficient use of this site. Therefore, it would accord with the aims of this policy in utilising a small site to contribute towards the overall housing need in the Borough.

Housing Density

- 6.5 Local Plan Policy HO4 expects housing in existing residential areas to be predominantly low to medium density and to consist of low to medium rise developments, it recognises that high density development may be appropriate in highly accessible areas, subject to design, compatibility with local contexts and transport impacts and highway capacity. It adds that high density housing with limited car parking can help ensure housing output is optimised and may be appropriate in locations with high levels of PTAL, provided it is compatible with the local context and principles of good design and is satisfactory in other respects.
- 6.6 Local Plan Policy TLC1 (Town Centres and Local Centres) seeks to enhance the vitality and viability of the borough's hierarchy of three town centres and - sub-criteria (a) supports the regeneration of the town centres for a mix of town centre uses, including residential development on appropriate sites.
- 6.7 The application site is located in Fulham Town Centre and has a PTAL rating of 4, indicating good access to public transport and services. Locations with good public transport and local services are more suitable for intense development and the use of public transport is encouraged.
- 6.8 In principle, the site is considered suitable for a more intensive development. The existing site has a relatively large plot for a single dwelling within this Town Centre location - less than 20% of the site is covered by existing buildings. Given the underused nature of the site and its' Town Centre location with local services, officers consider that the site can support additional homes. Whilst the four-storey

scale of the proposed building is larger than the existing immediate neighbours, the scale would be in keeping with the character of the surrounding wider area and would therefore be acceptable in this context. The proposed density of 333 units per hectare (equivalent to 1238 habitable rooms per hectare) would result in a more efficient use of a small site within the Town Centre and would make a positive contribution towards identified housing need in the Borough. A design led approach has been taken to determine the optimum development capacity for this site.

Housing Mix

- 6.9 Policy HO5 of the Local Plan seeks to ensure that development provide a mix of housing types and sizes. For market housing a mix of unit sizes is required, including larger family accommodation. The proposal consists of 5 two-bed and 2 one-bed flats.
- 6.10 The proposed mix of units does not include any family housing (taken to be three bedrooms or more). However, this is a relatively small site within Fulham Town Centre, and the proposed number of units is modest. Officers consider that the surrounding context is the determining factor to establish the most suitable layout and internal arrangement for this development. In this case, the proposals would result in a more efficient use of the site with an acceptable increase in density on an underused site that is currently occupied by a single-family dwelling. Officers raise no objections to the proposed mix which is considered acceptable.

AFFORDABLE HOUSING

- 6.11 London Plan Policy H4 sets out that affordable housing be provided on sites which include 10 or more homes. A similar approach is taken within policy HO3 of the Local plan which sets out that affordable housing is required for developments of 11 or more self-contained dwellings.
- 6.12 The proposed development provides 7 residential units and this is well below the target threshold for affordable housing. Officers consider that the number of units on the site cannot be physically increased by a further three units to 11 without compromising the visual acceptability of the replacement buildings, the quality of accommodation for future occupiers, as well as the impact on neighbouring amenity. For example, whilst the floor area and layouts of all flats do exceed the London Plan and Technical Housing Standards requirements, none of the flats are so generous that they could be split into smaller flats or be reconfigured to provide additional flats within the proposed building envelope. Reducing the size of the flats would result in an unsatisfactory layout and poor quality accommodation. Officers are satisfied that the units have not been oversized to avoid the requirement for affordable housing, and the number of flats within the envelope of the building could not be increased. In this case it would be unreasonable to seek affordable housing provision on this site and the proposals accord with Policy HO3.
- 6.13 In conclusion, the submitted scheme represents the most effective and efficient use of this site whilst maximising the development potential. The scheme has been designed to take account of its local context and character in terms of appropriate scale and massing, the form and character of surrounding

development and the historic grain and impact on neighbours, as well as complying with the Council's standards on the size of residential units. Therefore, in accordance with policies H4 of the London Plan (2021) and HO3 of the Local Plan it is not necessary to require affordable housing on this site.

DESIGN AND CONSERVATION CONSIDERATIONS

Design

- 6.14 The National Planning Policy Framework (NPPF 2021) recognises that creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 6.15 London Plan Policy D3 (Optimising site capacity through the design-led approach) states that, in terms of quality and character, development proposals should "respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character; and be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well".
- 6.16 Local Plan Policy DC1 requires all development within the borough to create a high quality urban environment that respects and enhances its townscape context and heritage assets.
- 6.17 Policy DC2 states that new build development will be permitted if it is of a high standard of design and compatible with the scale and character of existing development and its setting. All proposals must be designed to respect:
- a. the historical context and townscape setting of the site, and its sense of place;
 - b. the scale, mass, form and grain of surrounding development and connections to it;
 - c. the relationship of the proposed development to the existing townscape, including the local street pattern, local landmarks and the skyline;
 - d. the local design context, including the prevailing rhythm and articulation of frontages, local building materials and colour, and locally distinctive architectural detailing, and thereby promote and reinforce local distinctiveness;
 - e. good neighbourliness and the principles of residential amenity;
 - f. the local landscape context and where appropriate should provide high quality landscaping and public realm with good permeability;
 - g. sustainability objectives; including adaptation to, and mitigation of, the effects of climate change;
 - h. the principles of accessible and inclusive design; and
 - i. principles of Secured by Design.
- 6.18 Policy DC8 of the Local Plan (2018) states that the council will conserve the significance of the borough's historic by protecting, restoring, and enhancing its heritage assets, including conservation areas. Section 72 of the Planning [Listed

Buildings and Conservation Areas] Act 1990 requires that special attention should be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area. Furthermore, proposals should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

- 6.19 Officers have carried out an assessment of the impact of the proposal on visual amenity and of the potential impact on the potential impact to the setting of the adjacent listed building No 282 North End Road.
- 6.20 The proposal involves the demolition of the existing 3 storey building. There is no objection to the loss of the existing building, as it is not part of a uniform terrace, and is a three-storey house adjoining a modern three-storey building on North End Road which does not enjoy any heritage protection, and does not have any special merits that would justify its consideration as an undesignated heritage asset. Whilst the existing building has a street elevation frontage with some architectural merit, the west elevation and garden walls contribute little to the quality of the street scene. The immediate context is extremely varied with regards to architectural style and buildings of different eras. The site falls within the setting of the Grade II Listed 282 North End Road, a Victorian house with a large modern extension on to Coomer Place at the rear.
- 6.21 The proposed part three and part four storey building would occupy the full site including what was the walled garden. The scale of the building is considered to be appropriate within its context, as it is very similar in height to the surrounding buildings, such as the nearby four storey building 12 - 18 Barbara Castle Close. The main street elevation is well articulated with winter gardens and balconies with vertically aligned bays. The ground floor level flats are raised by 700mm to provide privacy for occupants. Nevertheless, the proposed front facade is well articulated and will provide an active edge for Coomer Place along its full length. The façade is comprised of brick elevations with metal balconies and glazing which is also considered appropriate in the mixed architectural context. Solar shading shutters are neatly integrated into the façade and these will add to the distinctive appearance of the building. The top of the building is clearly defined by a recessed pavilion structure with double butterfly roof. The northern elevation directly adjoining the car park boundary contains no windows, but instead contains an articulated brick façade at ground, first, and second floor level, which consists of a saw tooth brick pattern panels, to provide visual interest when viewed from the public car park behind it. The west façade is also well articulated, as it contains metal cladding.
- 6.22 Overall the building is considered to be an appropriate response to the evolving surrounding context. Subject to a condition (no. 11) requiring detail material samples, the developments scale, mass, materiality and detailing are considered appropriate within the backdrop to the Grade II Listed 282 North End Road and will improve its setting. The proposal would create more definition for the street and more legible piece of townscape. The proposals are compliant with Policies DC1, DC2 and DC8.

Heritage

- 6.23 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the principal statutory duties which must be considered in the determination of any application affecting listed buildings or conservation areas. It is key to the assessment of these applications that the decision making process is based on the understanding of specific duties in relation to listed buildings and Conservation Areas required by the relevant legislation, particularly the s.72 duties of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the requirements set out in the NPPF. s72 of the above Act states in relation to Conservation Areas that: 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'
- 6.24 Paragraph 189 of the NPPF states: Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.
- 6.25 Paragraph 195 of the NPPF states: Local Planning Authorities should identify and assess the significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
- 6.26 Paragraph 199 of the NPPF states: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 6.27 Paragraph 203 of the NPPF states: 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.
- 6.28 Case law indicates that following the approach set out in the NPPF will normally be enough to satisfy the statutory tests. However, when carrying out the balancing exercise in paragraphs 202 and 203, it is important to recognise that the statutory provisions require the decision maker to give great weight to the desirability of preserving designated heritage assets and/or their setting.
- 6.29 Local Plan policy DC1 requires all development within the borough to create a high-quality urban environment that respects and enhances its townscape context and heritage assets. Local Plan policy DC8 states that the council will conserve

the significance of the Borough's historic environment by protecting, restoring, or enhancing its heritage assets, including the borough's conservation areas.

- 6.30 The application site is not situated in a Conservation Area and does not feature and historic assets. However, the site does form part of the setting of an adjacent Grade II listed building, 280-282 North End Road.
- 6.31 The architectural language of the building forms the main element of its significance and special interest. Officers have carried out an assessment of the impact of the proposal upon the setting of this asset. Given the location of the proposed development and consider that based upon the tight grain of commercial developments along North End Road, the development would have negligible visibility in a small number of views of the asset. The proposed development would allow the character and special interest of the historic asset to be clearly preserved within this setting. As such, the development would not result in any harm to the significance of the heritage asset.
- 6.32 Officers have assessed the impact of the proposal on adjacent heritage assets and consider that it is compliant with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal is also in line with national guidance in the NPPF, Policy HC1 of the London Plan and Policies DC1, DC4, and DC8 of the Local Plan (2018) and Key Principle CAG3 of the Planning Guidance SPD (2018).

QUALITY OF ACCOMMODATION

Size of Units

- 6.33 All of the units would comply with London Plan (2021) and Technical Housing Standards - Nationally Described Space Standards (2015) minimum internal space requirements are in brackets, as follows:

Ground Floor

- Flat 1 (1B 2P): 51.2 sqm, balcony/winter garden 6.4 sqm (mini 50sqm)
- Flat 02 (1B 2P): 59.4 sqm, balcony/winter garden 5.1 sqm (minimum 50sqm)

First Floor

- Flat 03 (2B 4P): 75.8 sqm, balcony/winter garden 6.4 sqm (minimum 70sqm)
- Flat 04 (2B 3P): 62.4sqm, balcony/winter garden 8.7sqm (minimum 61sqm)

Second Floor

- Flat 05 (2B 4P): 75.8 sqm, balcony/winter garden 6.4sqm (minimum 70sqm)
- Flat 06 (2B 3P): 62.4sqm, balcony/winter garden 8.7sqm (minimum 61sqm)

Third Floor

- Flat 07 (2B 3P): 69.9sqm, terrace 6.9sqm (minimum 61sqm)

- 6.34 All the units exceed the minimum space standards, and are therefore satisfactory in terms of their size.

Aspect and Daylight

- 6.35 Three flats (4, 6 and 7) are dual aspect with south and west facing windows – none of the remaining units (1, 2, 3 and 5) are exclusively north facing. Overall, all the flats would receive suitable light to habitable rooms. Furthermore, the level of outlook to habitable rooms across the development would be acceptable. Notably, all the single aspect rooms of units 1, 2, 3 and 5 are south facing and include large, floor to ceiling high windows.
- 6.36 A daylight and sunlight assessment was submitted with the application which shows the average daylight factor (ADF) of the development. In daylight terms, all the rooms analysed across the proposal meet their ADF target values for their room uses.
- 6.37 In sunlight terms, the BRE Guidelines indicate that sunlight is of most importance for main living spaces. The Guidelines recommend that each main living space is served by at least 1 main window that received at least 25% annual APSH and of this 5% winter APSH. Only windows facing within 90° of due south are required to be analysed. Given that all the units have direct south facing main living space area, it is considered each unit would receive adequate sunlight.

Ceiling Heights

- 6.38 The Nationally Described Space Standards [NDSS] (2015) specify that the minimum finished floor to ceiling height for residential units should be 2.3m for at least 75% of the GIA. Policy D6 of the London Plan (2021) specifies a minimum floor to ceiling height of 2.5m for at least 75 per cent of the Gross Internal Area of each dwelling. The flats have been designed to have ceiling heights of 2.5m. Therefore, all the units would comply with the London Plan requirements on ceiling heights which indicates a good standard of accommodation.

Noise

- 6.39 Paragraph 10.8 of the Planning Guidance SPD (2018) specifies that poor design and layout of rooms often lead to neighbour noise complaints, and accordingly Key Principle NN3 of the Planning Guidance SPD (2018) expects all parts of adjoining dwellings to enhance the sound insulation, including where the adjoining room is of a similar use.
- 6.40 The proposal has been reviewed by the Council's Environmental Protection Team who raised no objections, subject to 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. This would ensure that the proposal would provide a suitable residential environment for future occupiers as well as limiting the impact upon neighbouring properties. Subject to this condition the proposal is considered to be in accordance with Policies CC11 and CC13 of the Local Plan (2018) and Key Principle NN3 of the Planning Guidance SPD (2018).

External amenity space

- 6.41 Local Plan Policy HO11 and SPD Key Principle HS1 require all new developments to make provision for open space to meet the needs of occupiers and users. It is also required that all new dwellings have access to an area of amenity space appropriate to the type of housing being provided. The Mayor's Housing SPG Standards 26 and 27 require a minimum of 5sqm. of private outdoor space to be provided for 1-2 person dwellings and an extra 1sqm. for each additional occupant, and where balconies are provided these be designed to respect the amenity of neighbours and should have a minimum depth of and width of 1500mm. The latter is also reiterated under Planning Guidance SPD Key Principle HS1. The Housing SPG Standards however recognises that in some cases, site constraints may make it impossible to provide private open space for all dwellings.
- 6.42 All of the units, would benefit from private external amenity space, whether in the form of a balcony/winter garden or terrace, with a minimum depth and width of 1.5m, and an area above the minimum standard of 5.0 sqm. Units 1 to 6 benefit from winter gardens, so that the outdoor terrace could be converted into larger living space that is enclosed during the winter months. Unit 7 would benefit from an outdoor terrace at rooftop level. The site has the opportunity to take advantage of its south facing elevation fronting Coomer Place in providing outdoor terraces, as it is a less sensitive street interface. Overall, the proposed units would provide a good level of amenity space for future occupiers of this non-family accommodation and no objections are raised in terms of Key Principle HS1 of the Planning Guidance SPD (2018).

Accessibility

- 6.43 London Plan Policy D7 seeks to ensure that 90% and 10% respectively of new housing meets the Buildings Regulations requirements for M4(2) accessible and adaptable dwellings, and M4(3) for wheelchair users. Policy HO6 of the Local Plan (2018) and Key Principles DA1-DA8 of the Planning Guidance SPD (2018) seek to secure high quality accessible homes in all developments that included housing.
- 6.44 The development would provide one wheelchair adaptable unit at ground floor level (Flat 02). Access to this flat would be through the southern main entrance, with step-free access provided by way of a wheelchair platform lift located within the main hallway adjacent to the staircase, furthermore the communal stairs have also been provided with handrails on both sides, and the corridors are provided with good quality lighting. A condition (no. 20) is recommended requiring the remainder of the units to comply with Part M4(2) of the current Building Regulations. The proposal accords with London Plan Policy D7 and Local Plan Policy HO6.

Secured by Design

- 6.45 London Plan Policy D11, Local Plan Policy DC1 and SPD "Sustainable Design and Construction" Key Principles requires new developments to respect the principles of Secured by Design and to ensure that proposals create a safe, secure, and appropriately accessible environment where crime and disorder and the fear of crime do not undermine quality of life or community cohesion. The Metropolitan Police's Crime Prevention Design Advisor has raised no objections subject to a

condition requiring Secure by Design accreditation. A condition (no. 6) has been attached to secure satisfactory details.

IMPACT ON NEIGHBOURING PROPERTIES

- 6.46 Local Plan Policy HO11 states that proposals for extensions will be considered acceptable where it can be demonstrated that there is no detrimental impact on:
- Privacy enjoyed by neighbours in adjoining properties;
 - Daylight and sunlight to rooms in adjoining properties;
 - Outlook from windows in adjoining properties; and
 - Openness between properties.
- 6.47 Local Plan Policies DC1 and DC4 requires the Council to ensure that applications consider the principles of good neighbourliness in particular the amenities of the neighbouring properties and other properties most directly affected by the proposed. SPD Housing Key Principles HS6, HS7, HS8 contain safeguards against sense of enclosure, loss of outlook, loss of privacy, loss of daylight and disturbances against neighbouring occupiers.
- 6.48 Key Principle HS6 "Housing Standards" seeks to protect the existing amenities of neighbouring residential properties in terms of outlook, privacy, light and noise and disturbance. Key Principle HS7 (iii) requires new windows to be positioned at least 18 metres away from existing windows or if the standard cannot be met, then they must be designed to ensure no loss of privacy. Key Principle HS8 requires that balconies and terraces do not cause harm to the existing amenities of neighbouring occupiers by reasons of noise and disturbance or opportunities for overlooking.
- 6.49 Immediately, to the east and north are the rear elevations of Nos 272 and 274 North End Road and a public car park. The proposed part three/four storey building would immediately adjoin the rear elevation of 274 North End Road, a three storey mixed use commercial/residential building with no rear windows facing the application site. To the north, the proposed building would adjoin 272 North End Road, a two-storey mixed use commercial residential use with habitable windows at first floor facing the site.
- 6.50 To the, south on the opposite side of Coomer Place are three storey buildings 282 North End Road (Grade II Listed Building) and 7 to 11 Crowther Place which are in use respectively for health services and mixed use health/ residential purposes.

Outlook

- 6.51 The proposals would have no adverse impact on 274 North End Road, as the rear elevation adjoining the existing buildings and contains no windows - there are no windows that would be impacted by the proposed development.
- 6.52 In respect of No. 272 North End Road, the existing ground floor covers the entire footprint of the site. At first floor, the existing rear windows are set back 10m from the rear boundary and would be positioned at an oblique angle from the proposed development. Notably, the first floor windows would still benefit from a clear, open section to the western rear and northern side boundary of the site overlooking the public car park. Based on on-site judgement, officers are satisfied that the

development would not lead to any undue loss of outlook or increased sense of enclosure to occupants of No. 272 North End Road in this town centre location.

- 6.53 For the opposing properties at 282 North End Road (Grade II Listed Building) and 7 to 11 Crowther Place, officers consider that the proposed predominantly 3 storey height with a reduced fourth floor on this underused site would mirror the height of the existing development. The front elevation of the proposed development along Coomer Place, would be positioned 16m from the opposing upper residential floors at 282 North End Road and 7 to 11 Crowther Close. Taking in to account a notional 45-degree line, from a 2m height at the opposing properties at 282 North End Road and Crowther Close, the proposed development would not result in any infringement. It is not considered that the proposals would have an undue impact in terms of outlook to 282 North End Road and 7 to 11 Crowther Close.
- 6.54 Overall, the development would not result in an unacceptable loss of outlook or increased sense of enclosure to adjacent properties complying with Policies DC1, DC4 and HO11 of the Local Plan (2018).

Daylight and Sunlight

- 6.55 The Council has regard to the guidance set out in Building Research Establishments' (BRE) Report 2011 "Site Layout Planning for Daylight and Sunlight - A guide to good practice". This guidance is used as aid to prevent and/or minimise the impact of a new development on the availability of daylight and sunlight in the environs of the site. Although it provides numerical guidelines, these should be interpreted flexibly because natural lighting is only one of many factors in site layout design.
- 6.56 The application has been accompanied by a daylight and sunlight analysis report officers have considered this and assessed the impact on neighbouring properties. The proposal would be fully compliant with BRE guidelines. Therefore, the proposals would not result in a significant loss of light to surrounding neighbours who would still have sufficient access to daylight and sunlight complying with Policies DC1, DC4 and HO11 of the Local Plan (2018).

Privacy

- 6.57 Key Principle HS7 (iii) states that new windows should normally be positioned so that they are a minimum of 18 metres away from existing residential windows as measured by an arc of 60 degrees taken from the centre of the proposed window. Key Principle HS8 (i) sets out that permission will not be granted for roof terraces or balconies if the use of the terraces or balcony is likely to cause harm to the existing amenities of neighbouring occupiers by reason of noise and disturbance; or, if it would result in an additional opportunity for overlooking or result in a significantly greater degree of overlooking and consequent loss of privacy.
- 6.58 There is a distance of just over 16 metres between the proposed windows in the south elevation including balconies/winter gardens and the residential windows in the opposing first and second floor at 282 North End Road and 7-11 Crowther Close - this falls short of the 18-metre target. However, the proposed relationship between windows on opposing sides of the street is a typical relationship in local streets and for this reason, officers consider that the development would not be

acceptable in this case. Notably, the site is within the Fulham Town Centre with predominantly dense development (terraced houses, a mix of different uses, medium building footprints and typically buildings of two to four storeys). Officers consider the development would not give rise to an unacceptable form of development in terms of overlooking, over and above the typical relationship established by residential facing each other along Coomer Place, such as the nearby four storey 12 - 18 Barbara Castle Close.

- 6.59 There are no proposed windows located on the northern elevation adjoining the public car park area, as it contains a blank elevation with articulated brick work. The remaining non-habitable windows in the north elevation include 2 obscure glazed bathroom windows and 2 clear glazed windows to a communal staircase. The 4 proposed windows would face the flat roof of the ground floor at 272 North End Road and would be at an oblique angle to the existing first floor windows at 272. Officers are satisfied that there would be no loss of privacy to 272 North End Road.
- 6.60 The proposed roof top terrace for Flat 7 is located at high level, and would be setback from the northern boundary away from No. 272 North End Road, so there would be no overlooking impacts into their windows. The south elevation of the roof terrace would include a 1.7m obscure glazed screen to prevent overlooking, and this would be secured by condition (No. 25).
- 6.61 For these reasons, Officers are satisfied that on balance the development would not be unneighbourly for the occupants of No. 272 North End Road.

Noise and Disturbance

- 6.62 Policy CC11 and HO11 relate to noise and neighbouring amenity and require all development to ensure that there is no undue detriment to the general amenities enjoyed by existing surrounding occupiers, particularly those of residential properties. Key Principle HS8 (iii) adds that roof terraces or balconies likely to cause harm to the existing amenities of neighbouring properties by reason of noise and disturbance will not be supported.
- 6.63 With respect to noise it is difficult to predict with any accuracy the likely level of noise/disturbance that would be generated by the use of the proposed balcony/winter gardens for Flats 1 to 6 and roof terrace for Flat 7. However, on balance, having regard to the size of the proposed Flats 1 to 6 balcony/winter gardens ranging from 5.1sqm to 8.7, and the Flat 7 roof terrace (10 sqm), which would limit the number of people it could hold, together with the locations primarily fronting Coomer Place, are at high level and the relationship with neighbouring properties, it is not considered that its use would, in the normal course of events, be likely to harm the existing amenities of adjoining occupiers as a result of additional noise and disturbance. The proposal is therefore considered to be consistent with Policy HO11 and CC11 of the Local Plan and Key Principle HS8 of the Planning Guidance SPD.
- 6.64 Given the above, it is considered that the proposal would not result in a loss of privacy or overlooking. The proposed development complies with Policies DC1, DC4 and HO11 of the Local Plan (2018).

HIGHWAYS AND TRANSPORTATION

- 6.65 Paragraph 110 of the NPPF states that applications for development should ensure that appropriate opportunities to promote sustainable transport modes are taken and that safe and suitable access to sites can be achieved. Paragraph 111 states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual impacts on the road network would be severe. Paragraph 113 states all developments that will generate significant amounts of movement should be required to provide a travel plan, and should also be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.
- 6.66 Policies T1-T7 of the London Plan set out that all development should make the most effective use of land, reflecting connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated. These policies also provide cycle and parking standards.
- 6.67 Local Plan Policy T1 sets out the Council's intention to 'work with strategic partners to improve transport provision, accessibility and air quality in the borough, by improving and increasing the opportunities for cycling and walking, and by improving connections for bus services, underground, national and regional rail'.
- 6.68 Local Plan Policy T2 relates to transport assessments and travel plans and states "All development proposals would be assessed for their contribution to traffic generation and their impact on congestion, particularly on bus routes and on the primary route network".
- 6.69 Local Plan Policies T3, T4, T5 and T7 relate to opportunities for cycling and walking, vehicle parking standards, blue badge holders parking and construction logistics.
- 6.70 The above policies are supported by Key Principles TR1 -TR4, TR7, TR21 and TR27 of the Planning Guidance SPD.
- 6.71 Local Plan Policy CC7 sets out the requirements for all new developments to provide suitable facilities for the management of waste. Planning Guidance SPD Key Principles WM1, WM2, WM4, WM6, WM7 and WM11 are also applicable which seek appropriate storage and collection arrangements for refuse and recycling.

Construction Impacts

- 6.72 The main impact of the development in highway terms would be at the demolition and construction stages. In accordance with Local Plan Policy T7 and Planning Guidance SPD Key Principle TR21 a Demolition and Construction Logistics Plan is required.
- 6.73 In order to mitigate any adverse impacts arising during the construction phase as far as possible, a condition (no. 3) is proposed requiring a Demolition and 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.

- 6.74 In order to mitigate any adverse impacts arising during the construction phase a condition (no. 4) is recommended 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 demolition and construction phases do not adversely impact on local highways, and impacts on the amenities of neighbouring occupiers is minimised as much as possible, in accordance with Policies, T7, CC11 and CC13 of the Local Plan (2018).

Car free development

- 6.75 Policy T4 of the Local Plan (2018) requires all new development to conform to the car parking standards of the London Plan (2021).
- 6.76 The site has a PTAL 4/5 score of using Transport for London's methodology, indicating that it has a good public transport accessibility. The proposal would result in a net increase of 7 residential units. To mitigate any unacceptable impact on the existing amenities of residents because of increased on-street car parking stress. The Council's Highways Team have assessed the proposal in relation to parking and have confirmed that because the application site has a PTAL 4/5 rating, and the proposal does not include off-street parking, therefore, the proposed new development must be made car permit free to be in accordance with Policy T4 of the Local Plan (2018). This will be secured through the s106 agreement. On this basis the proposal would not be considered to increase parking demand/stress within the locality of the application site.

Bicycle parking

- 6.77 London Plan Policies T2 Healthy Streets and T5 Cycling (Table 10.2 and Figure 10.3) set out the need to provide suitable on site cycle storage for a development

To be in accordance with Policy T5 of the London Plan (2021), the proposed development must provide a minimum of 13 cycle parking spaces. The location of the cycle storage area is indicated to be within a dedicated, secure cycle storage room fronting Coomer Place at ground floor level for a total of 16 cycle parking spaces, and is considered to be a suitable location. A condition (no. 14) 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

- 6.78 Local Plan Policy CC7 states that new developments, including conversions should aim to minimise waste and should provide convenient facilities for future occupiers. Adequate refuse storage is required for this development and it should be consistent with Refuse Department's policies stated in the Local Plan 2018 and Planning guidance SPD 2018.
- 6.79 The proposal provides communal refuse and recycling storage within a dedicated refuse storage area at ground floor level fronting Coomer Place, near to the road to enable easy access for waste crews. The flats would be provided with x 2 360L refuse and x 2 recycle bins 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 (no. 15) is recommended requiring provision of the refuse storage to be made prior to occupation, and permanently retained for the lifetime of the development.

Delivery and Servicing

- 6.80 In order to ensure suitable delivery and servicing arrangements, a condition (no. 32) will be necessary requiring the submission of a Delivery and Servicing Plan including baseline delivery and servicing trips, objectives, targets and measures. The DSP will need to be in accordance with Transport for London's latest guidance on Delivery and Servicing Plans.

ENVIROMENTAL QUALITY

Flood Risk and Sustainable Drainage

- 6.81 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'.
- 6.82 London Plan Policy SI 12 states that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. Policy SI 13 sets out the same requirement and additionally states that proposals for impermeable paving should be refused and that drainage should be designed and implemented to address water efficiency, water quality, biodiversity and recreation.
- 6.83 Local Plan Policy CC2 requires major developments to implement sustainable design and construction measures, including making the most efficient use of water. Local Plan Policy CC3 requires that new development is required to reduce the use of water and to minimise current and future flood risk. This is supported by Policy CC4 which seeks that developments manage surface water run-off and requires all major developments to implement SuDS and to provide a sustainable drainage strategy.
- 6.84 The submitted Flood Risk Assessment (FRA) indicates the site is within the Environment Agency's Flood Zone 2. As the development would result in a loss of the rear garden area, a green roof has been proposed on the flat roof areas around the PV panels. This would intercept rainfall and reduce the volume and rate of flow of surface water run-off into the sewer network. No objections would be raised subject to the submission of further green roof details which would be secured by condition (no. 12), and the proposed surface water management measures being implemented and maintained as outlined, and a condition (no. 13) is included in this respect, in accordance with Policies CC3 and CC4 of the Local Plan (2018).
- 6.85 Thames Water responded with comments that the application site is within 15 metres of a strategic sewer. A condition (no. 19) is required to ensure that no piling is undertaken until a Piling Method Statement is submitted and reviewed by Thames Water.

- 6.86 The implementation of the flood risk mitigation measures and sustainable drainage measures will be secured by a condition. On this basis, officers consider that the proposed development would not detrimentally impact on flood risk or surface water run-off and would be in accordance with the policies cited above.

Sustainability and Energy

- 6.87 The NPPF states that development proposals are expected to comply with local requirements and should take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption and to increase the use and supply of renewable and low carbon energy.
- 6.88 Local Plan Policy CC1 requires major developments to implement energy conservation measures by implementing the London Plan sustainable energy policies and meeting associated CO2 reduction target and demonstrating that a series of measures have been taken to reduce the expected energy demand and CO2 emissions. It requires the use of on-site energy generation to further reduce CO2 emissions where feasible. Policy CC2 seeks to ensure the implementation of sustainable design and construction measures by implementing the London Plan sustainable design and construction policies. These are supported by Key Principles set out in the Energy and Sustainable Design Construction Chapters of the Planning Guidance SPD.
- 6.89 The proposals include 10 Photovoltaic Panels located on the roof in addition to a number of other 'low tech' design aspects including the addition of metal bi-folding solar shading devices outside windows on the south façade. These would provide residents with control over how much light is passing through their windows on sunny days and generating heat. The perforated nature of the screens would also ensure they are decorative and still allow a small amount of natural light through even when fully closed. Additionally, as all habitable rooms receive good levels of natural light, this would reduce the demand for electric lighting. A green roof is also proposed at rooftop level to reduce water runoff into the sewer network. Given the rear garden area would be lost to accommodate the new building, the green roof and planter boxes including native species of plants would assist in supporting biodiversity due to this loss of garden area at ground floor level.
- 6.90 With regards to wider sustainable design, water efficiency measures are proposed to help reduce daily water-use, measures are proposed to help reduce air quality and noise impacts, there are good public transport links at the site and there is no car parking but cycle parking is to be provided. The proposal is considered to provide adequate sustainable design measures in accordance Policies CC1 and CC2 of the Local Plan (2018).

Land Contamination

- 6.91 Paragraph 174 of the NPPF says that the planning system should contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.
- 6.92 Local Plan Policy CC4 states that the Council will support the remediation of contaminated land and that it will take measures to minimise the potential harm of contaminated sites and ensure that mitigation measures are put in place. Policy

CC9 requires a site assessment and a report on its findings for developments on or near sites known to be (or where there is reason to believe they may be) contaminated. Development will be refused 'unless practicable and effective measures are to be taken to treat, contain or control any contamination'. Any permission will require that any agreed measures with the council to assess and abate risks to human health or the wider environment are carried out as the first step of the development.

- 6.93 Key principles LC 1-6 of the Planning Guidance SPD identify the key principles informing the processes for engaging with the council on, and assessing, phasing and granting applications for planning permission on contaminated land. The latter principle provides that planning conditions can be used to ensure that development does not commence until conditions have been discharged.
- 6.94 Potentially contaminative land uses, past or present, are understood to occur at, or near to, this site. In order to ensure that no unacceptable risks are caused to humans, controlled waters, or the wider environment during and following the development works conditions would be attached covering the assessment and remediation of contaminated land if the application were to be approved.
- 6.95 Officers recommend that conditions (no. 26-31) 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).

Air Quality

- 6.96 London Plan Policy SI 1 states that development proposals should not lead to deterioration of existing poor air quality, create any new areas that exceed air quality limits or create unacceptable risk of high levels of exposure to poor air quality.
- 6.97 Local Plan Policies CC1 and CC10 seeks to reduce potential adverse air quality impacts arising from new developments and sets out several requirements. These are supported by Planning Guidance SPD Key Principles AQ1 to AQ5.
- 6.98 The development site is within the borough wide Air Quality Management Area (AQMA) and an area of existing poor air quality due to the road traffic emissions from North End Road. The development proposal will introduce new residential receptors into an area of very poor air quality. In respect to this development site the air quality specifically the Nitrogen Dioxide (NO₂), and Particulates (PM₁₀, and PM_{2.5}) concentrations at the proposed property even in the background currently fail the World Health Organisation (WHO) Air Quality Guideline values (2005). Further Mitigation measures will be required to make the development acceptable in accordance with Local Plan Policy CC10 and London Plan Policy SI 1 (2021). On this basis, the Council's Environmental Air Quality officer has considered the proposal and has recommended conditions (no. 7-8) regarding a scheme of mechanical ventilation for the new units; details of Air Source Heat Pumps or electric boilers for space heating and hot water (Condition no. 11); and Non-Road Mobile Machinery (NRMM) and On Road Vehicle Emission details in relation to the demolition and construction phase of the development (Conditions no. 21-22).

- 6.99 On the basis of the above conditions it is considered that the proposed development would not detrimentally impact on Air Quality and would be in accordance with the policies cited above.

FIRE SAFETY

- 6.100 Policy D12 of the London Plan 2021 states that 'all development proposals must achieve the highest standards of fire safety'. Based on the proposed small-scale development, a Fire Statement is not required, however, the following should be considered by the applicant prior to the building control stage, and is outlined in supporting text 3.12.1 to 3.12.8 of the London Plan 2021:

- o demonstrate on a site plan that space has been identified for the appropriate positioning of fire appliances. These spaces should be kept clear of obstructions and conflicting uses which could result in the space not being available for its intended use in the future.
- o show on a site plan appropriate evacuation assembly points. These spaces should be positioned to ensure the safety of people using them in an evacuation situation.
- o issues of fire safety should be included at outset - particularly in blocks of flats, as building users and residents may be less familiar with evacuation procedures
- o suppression systems (such as sprinklers should be explored
- o include stair cores which are suitably sized, should also be explored and provided wherever possible.
- o In line with inclusive design (Policy D5), where provided fire evacuation lifts and associated provisions should be appropriately designed and constructed, and should include the necessary controls suitable for the purposes intended.

- 6.101 The applicant has submitted an outline Fire Safety Summary, which includes details of the consideration of fire appliances, two assembly points to the west and east of the site on Coomer Place, general fire safety such as signs and alarms, sprinklers not a requirement, and stair cores designed to comply with Building Regulations 2010 Approved Document Part B 2019. The matter of fire safety compliance is not generally reviewed at the planning stage for minor developments, as it is covered by Part B of the Building Regulations. However, to ensure that the proposed development achieves the highest of fire safety standards, it has been considered early in the design process, before the fire safety measures are confirmed at the building control stage. The submitted proposals accord with Policy D12 of the London Plan.

8.0 PLANNING OBLIGATIONS/ LEGAL AGREEMENT

- 8.1 The NPPF provides guidance for local planning authorities in considering the use of planning obligations. It states that 'authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations and that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition'.
- 8.2 London Plan (2021) Policy DF1 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. Local Plan Policy INFRA1

(Planning Contributions and Infrastructure Planning) advises that the council will seek planning contributions to ensure the necessary infrastructure to support the Local Plan is delivered using two main mechanisms 'Community Infrastructure Levy (CIL) and Section 106 Agreements (s106).

8.3 It is anticipated that the S106 for this development will include the following draft heads of terms

A. Traffic, transport and highways:

- To prohibit any occupiers of the 7 residential units, other than Blue Badge Holders, from obtaining a parking permit, under Section 16 of the Greater London Council (General Powers) Act 1974.

B. Public Pavement

- Enter into a S278 agreement to ensure the public footpath in front of the proposed development along Coomer Place is replaced with a new pedestrian footpath at the expense of the applicant.

COMMUNITY INFRASTRUCTURE LEVY

8.4 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 (2021) Policy DF1 and is chargeable at £80 per sq.m. uplift in floorspace, regardless of the use.

8.5 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. The CIL Charging Schedule was presented to Council and approved 20 May and formally took effect on the 1st September 2015.

9.0 CONCLUSION

9.1 For the reasons given above, it is considered that the proposed replacement building would be of an acceptable appearance that would justify the loss of the existing building. The design of the building would be appropriate in the context of its surroundings and on balance it is considered that the development would not have a detrimental impact upon the existing residential amenities of surrounding occupiers or on traffic generation in the area. The character and setting of the neighbouring Grade II Listed Building at 282 North End Road would be preserved. 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. The proposals would contribute to the vitality and viability of Fulham Town Centre and the Regeneration Area. In these respects, and subject to conditions and a legal agreement, the proposal is considered acceptable in accordance with Policies D3, D4, D5, D6, D7, H1, H2, H4, SI 1, SI 13, T1, T4, T5 and T6 of the London Plan (2021) and Policies HO1, HO3, HO6, DC1, DC2, DC8, T3, T4, T7, CC1, CC2, CC3, CC4, CC7, CC9, CC10, CC11, CC12 and CC13 of the Local Plan (2018).

10.0 RECOMMENDATION

10.1 Therefore, officers support the proposals in line with the recommendations at the start of the report.