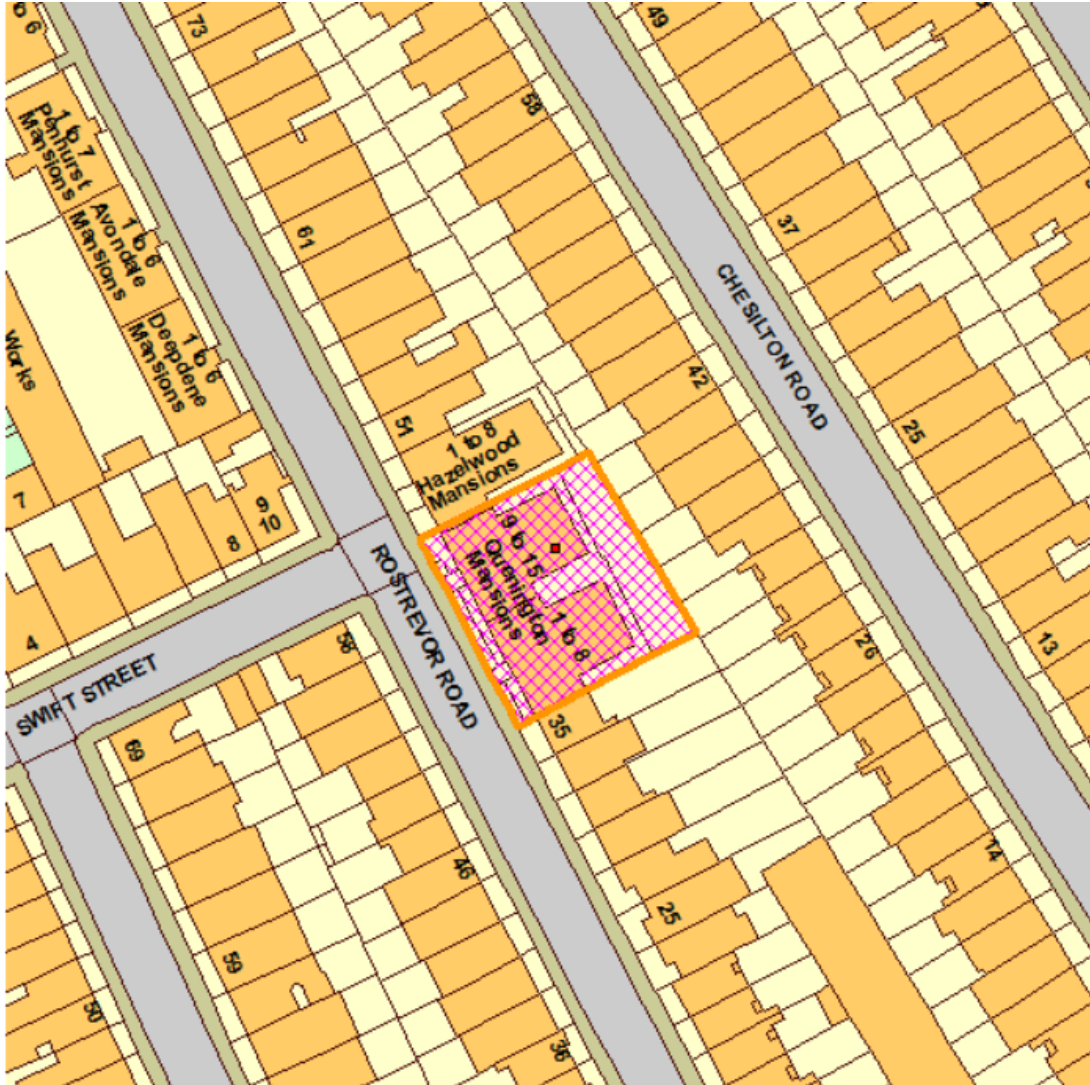


Ward: Fulham Town

Site Address:

Quenington Mansions Rostrevor Road London SW6 5AU



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For identification purposes only - do not scale.

Reg. No:

2023/02150/FUL

Case Officer:

Tom Scriven

Date Valid:

17.08.2023

Conservation Area:

Constraint Name: Central Fulham Conservation
Area - Number 29

Committee Date:

16.04.2024

Applicant:

Dorrington PLC
C/o Agent

Description:

Alterations at roof level to include: erection of a plant room enclosure with air source heat pumps, erection of balustrades with door openings, installation of 2no automatic opening vent rooflights, installation of 58no solar panels, raising of parapets and installation of new insulation at roof level resulting an increase in the roof height; replacement of existing single glazed timber framed windows with new timber framed double glazed windows at first and second floor level; replacement of existing single glazed timber framed doors and windows with new timber framed double glazed doors and windows at ground floor and lower ground floor level including the replacement of 4no doors at the side of rear back additions with 4no new windows, and replacement of 4no windows with new doors to the rear elevation at lower ground floor level; provision of refuse storage and cycle parking and associated landscaping.

Application Type:

Full Detailed Planning Application

Officer Recommendation:

1. That the Committee resolve that the Director of Planning and Property be authorised to grant permission subject to the conditions listed below.
2. That the Committee resolve that the Director of Planning and Property, after consultation with the Head of Law and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.

1) Time Limit

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

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

2) Approved Plans

The development hereby permitted shall be carried out in complete accordance with the following approved drawing numbers, other than where those details are altered pursuant to the conditions of this planning permission:

Typical Existing and Proposed Windows - 200 GSA XX XX DR A 3400 PL-00

LGF Openings - Rear Façade - 200 GSA XX LG DR A 3401 PL-00
LGF Openings - Side Façade - 200 GSA XX LG DR A 3402 PL-00
Proposed Block Site Plan - 200 GSA XX GF DR A 2000 PL-00
Proposed Lower Ground Floor Plan - 200 GSA XX LG GAA 2100 PL-00
Proposed Ground Floor Plan - 200 GSA XX GF GAA 2101 PL-00
Proposed First Floor Plan - 200 GSA XX 01 GAA 2102 PL-00
Proposed Second Floor Plan - 200 GSA XX 02 GAA 2103 PL-00
Proposed Roof Plan - 200 GSA XX RF GAA 2104 PL-01
Proposed Front Elevation - 200 GSA XX XX GAA 2300 PL-01
Proposed Rear Elevation - 200 GSA XX XX GAA 2301 PL-01
Proposed NW Side Elevation A - 200 GSA XX XX GAA 2302 PL-01
Proposed NE Side Elevation A - 200 GSA XX XX GAA 2303 PL-01
Proposed NW Side Elevation B - 200 GSA XX XX GAA 2304 PL-01
Proposed NE Side Elevation B - 200 GSA XX XX GAA 2305 PL-01
Proposed Landscape: General Arrangement - QM191-JCLA-DR-L-0001
Proposed Landscape: Planting Plan QM191-JCLA-DR-L-0002
Arboricultural Statement (230629-PD-90)
Tree Survey Plan (230629-P-10)

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

3) Materials

The development hereby approved shall be carried out and completed in accordance with the materials (including colour and finish) specified on the drawings hereby approved. The development shall be permanently retained in accordance with the approved details. Any works of making good to existing elevations shall be carried out in materials to match the elevation to which the works relate.

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

4) Trees

The development hereby approved shall be carried out in accordance with the approved Arboricultural Statement (230629-PD-90) and Tree Survey Plan (230629-P-10). The tree protection measures shall be carried out in full for the duration of the construction works.

To ensure that retained trees are suitably protected and to prevent harm during the course of construction, in accordance with Policies DC1, DC8, OS2 and OS5 of the Local Plan 2018.

5) Construction Logistics Plan

Prior to commencement of the development hereby permitted, a Construction Logistics Plan (CLP) shall be submitted to and approved in writing by the Local Planning Authority. The CLP shall be in accordance with Transport for London Guidance. The CLP shall cover the following minimum requirements:

- site logistics and operations;
- construction vehicle routing;
- Details of the estimated number, size and routes of construction vehicles per day/week details of the use of Ultra Low Emission Zone (ULEZ) compliant
- Vehicles e.g., Euro 6 and Euro VI;
- details of the access and egress arrangements
- delivery locations on the site;
- details of any vehicle holding areas; and other matters relating to traffic management to be agreed as required
- Efficiency and sustainability measures to be undertaken for the works
- membership of the Considerate Contractors Scheme.

The works shall be carried out in accordance with the relevant approved CLP. Approved details shall be fully implemented and retained and maintained throughout the construction phase of the development.

To minimise the impacts of construction-related vehicle movements and facilitate sustainable construction travel to the site in accordance with Policies T1 and T6 of the Local Plan 2018.

6) Construction Management Plan

Prior to commencement of the development hereby permitted, a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Council. The CMP shall provide details of how construction works are to be undertaken and shall include:

- a) A construction method statement which identifies the stages and details how works will be undertaken
- b) Details of working hours shall be limited to 08.00 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays
- c) Details of plant and machinery to be used during construction works
- d) Details of waste management strategy
- e) Details of community engagement arrangements
- f) Details of any acoustic hoarding
- g) A temporary drainage strategy and performance specification to control surface water runoff and Pollution Prevention Plan (in accordance with Environment Agency Guidance);
- h) Details of external lighting; and
- i) Details of any other standard environmental management and control measures to be implemented.

The development shall be carried out in accordance with the approved details. Additionally, the site or Contractor Company must be registered with the Considerate Constructors Scheme. Proof of registration must be sent to the Local Planning Authority prior to any works being carried out.

To ensure that occupiers of surrounding premises are not adversely affected by noise, vibration, dust, lighting or other emissions from the building site in accordance

with Policies SI 1, SI 8 and SI 10 of the London Plan 2021, and Policies DC1, DC2, CC6, CC7, CC10, CC11, and CC12 of the Local Plan 2018.

7) Details of Pergola

Prior to the erection of the pergola full details of this structure including scale plans and materials details will be submitted to and approved in writing by the Council. The pergola shall be erected in accordance with the approved details.

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

8) External noise from machinery, extract/ventilation ducting, ASHP etc.

The external sound level emitted from plant, machinery or equipment at the development shall be lower than the lowest existing background sound level by at least 5dBA in order to prevent any adverse impact. The assessment shall be made in accordance with BS4142:2014+A1:2019 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

A post installation noise assessment shall be carried out where required to confirm compliance with the sound criteria and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

9) Anti-vibration mounts and silencing of machinery etc

Prior to use, machinery, plant or equipment, extract/ventilation system and ducting at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

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

10) Use of roof

The flat roof of the buildings and associated balustrades shall only be used in association with maintenance of the approved plant at this level.

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

Justification for Approving the Application:

The principle of development with regards to the refurbishment of the building to improve thermal performance, energy efficiency and reduce reliance upon carbon-based energy is supported. The proposal is acceptable in design and visual terms, although the proposed roof top plant and enclosures would result in less than substantial harm to the significance of the Central Fulham Conservation Area. On balance, given that proposals would result in an increase in the thermal performance and reduce energy consumption of the building and 16 homes in total, it is considered that any harm would be outweighed by the public benefits of the proposal. The proposal would not result in unacceptable impacts upon the amenities of neighbouring residential properties. Highways and environmental matters including, flood risk, air quality and trees have also been satisfactorily addressed and will be subject to conditions. In these respects, the proposals would comply with 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF, the London Plan (2021), Local Plan Policies CC1, CC2, DC1, DC2 and DC8 and Key Principle AH2 of the Hammersmith and Fulham Planning Guidance SPD.

LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

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

Application form received: 16th August 2023
Drawing Nos: see above

Policy documents: National Planning Policy Framework (NPPF) 2023
The London Plan 2021
LBHF - Local Plan 2018
LBHF – Planning Guidance Supplementary Planning Document
2018

Consultation Comments:

Comments from:

Dated:

Neighbour Comments:

Letters from:

Dated:

5 Hazelwood Mansions Rostrevor Road London SW6 5AT

23.03.24

40 Chesilton Road London SW6 5AB	10.01.24
5 Hazelwood Mansions Rostrevor Road London SW6 5AT	02.01.24
Third Floor East 1 London Bridge London SE1 9BG	11.01.24
42 Chesilton Road London SW65AB	10.01.24
8 Hazlewood Mansions, London SW6 5AT	13.09.23
2 Hazelwood Mansions Rostrevor Road London SW6 4XE	30.08.23
Flat 8, Hazelwood Mansions Rostrevor Road London SW6 5AT	04.09.23
Flat 8, Hazelwood Mansions Rostrevor Road London SW6 5AT	08.01.24
Flat 8, Hazelwood Mansions Rostrevor Road London SW6 5AT	23.03.24
Flat 8, Hazelwood Mansions Rostrevor Road London SW6 5AT	02.01.24
Flat 8, Hazelwood Mansions Rostrevor Road London Sw6 5at	24.08.23
Flat 8, Hazelwood Mansions Rostrevor Road London Sw6 5at	24.08.23
5 Hazelwood Mansions Rostrevor Road London SW6 5AT	24.08.23
Grainger Plc 1 London Bridge London SE1 9BG	24.08.23
42 Chesilton Road London SW65AB	20.09.23
8 Lilyville Road London SW65DW	01.09.23
8 Lilyville Road London SW65DW	23.03.24

1.0 SITE DESCRIPTION

- 1.1 The application site comprises two adjoining three-storey blocks with partial basements. Each block includes 8 flats (total of 16) and they are located on the south west side of Rostrevor Road close at the junction with Swift Street.
- 1.2 The site is in a residential area which predominantly consists of two and three storey terraces with a strong uniformity of design. The adjacent Elwood Mansions and nearby Deepdene Mansions are of similar scale. To the rear of the site are three storey residential terraces along Chesilton Road.
- 1.3 The site is located within the Central Fulham Conservation Area and Flood Zone 3.

2.0 RELEVANT PLANNING HISTORY

- 2.1 In 2023, planning permission (ref 2022/02979/FUL) was granted for external alterations to include: installation of 1 double glazed timber framed window at lower ground, upper ground, first and second floor levels, replacement of 1 existing timber framed single glazed window with new double glazed timber door at lower ground floor level to North Eastern and North Western elevations, and replacement of all remaining single glazed timber framed windows with new double glazed timber framed windows to all elevations.

3.0 PROPOSAL

- 3.1 The current proposal involves the following elements:

Roof Level

- Erection of a plant room enclosure with air source heat pumps

- Installation of 58no solar panels
- Erection of safety balustrades
- Installation of 2 automatic opening vent rooflights
- Raising of parapets and installation of new insulation

Other changes

- Replacement of existing single glazed timber framed windows and doors with new timber framed double glazed windows and doors (as approved in 2022/02979/FUL)
- Additional window per flat to side elevation and additional door to rear of the Lower Ground Floor flats
- Provision of refuse storage and cycle parking and associated landscaping

3.2 The current proposals include the replacement double glazed windows and doors approved in 2023 (ref 2022/02979/FUL) together with the additional measures outlined above the proposal would renovate and refurbish the blocks as well as introduce renewable energy provision. Overall, the proposals seek to improve the energy performance of the building and reduce the reliance on carbon based energy sources.

3.3 During the consideration of the application the scale of the plant enclosure was reduced with the inclusion of a mono-pitched roof to the front. Additional information was also provided to demonstrate that the plant enclosure had been consolidated as far as possible.

4.0 PUBLICITY AND CONSULTATIONS

Statutory Consultation

4.1 The planning application was publicised by site and press notices together with 60 notification letters sent to neighbouring properties.

4.2 In response, 18 letters of objection were received from 7 separate properties, the concerns raised can be summarised as follows:

- Impact upon character/heritage
- Consideration of other options
- Loss of view
- Loss of light and outlook
- Loss of privacy if Juliet balconies to be used
- Need for daylight and sunlight assessment
- Right to light
- Noise and vibration
- Heat from heat pumps
- Style of rooflight
- Impact on property value
- Government review of heat pumps
- Lack of precedent for development

Officer Response to Consultation

- 4.3 The impact upon the street scene and character of the area as well as the Conservation Area are fully considered in the relevant sections of the report. The matters relating to residential amenity (loss of light, outlook, privacy, noise and disturbance) are also considered within the report.
- 4.4 The impact upon the street scene and character of the area as well as the Conservation Area are fully considered in the relevant sections of the report. The matters relating to residential amenity (loss of light, outlook, privacy, noise and disturbance) are also considered within the report.
- 4.5 Matters relating to right to light are a civil matter and are not a material planning consideration, however as set out above the impact in terms of loss of light and outlook is considered. The impact upon a view and property value are also not material planning considerations and cannot be taken into account in the assessment of the proposal.
- 4.6 The consideration of alternative option was queried during the application process and various justifications were put forward for the comprehensive approach taken. As such the application must be considered in relation to the information submitted.
- 4.7 There is no indication that air source heat pumps located at roof level would result in significant heating of the surrounding area. As such the impact upon neighbouring amenity in this regard would be negligible.
- 4.8 Queries were raised regarding whether the replacement windows include Juliet balconies. The proposal does not include any Juliet balconies, the replacement windows would match the size of the existing openings.
- 4.9 The rooflights are shown as being flat and would be centrally located on the roof. They would not present a significant feature on the roof.
- 4.10 The DEFRA Review of Air Source Heat Pump Noise Emissions, Permitted Development Guidance and Regulations was published on the 8th January 2024. This does not alter the status of the Council's Development Plan and as the works require planning permission the proposals should be considered against relevant policies and guidance. The noise impact of the proposal is considered in the relevant section of the report.

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 (2023)

5.4 The National Planning Policy Framework (NPPF) came into effect on 27 March 2012 and was most recently revised in 2023 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 main considerations material to the assessment of this application can be summarised as follows:

- a) Energy and Sustainability
- b) Design and heritage impact
- c) The impact of the proposal upon the existing amenity of neighbouring residents
- d) Highways
- e) Environmental issue including Flood Risk, Air Quality and Trees

7.0 ENERGY AND SUSTAINABILITY

- 7.1 Paragraph 162 of the NPPF sets out 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. Paragraph 164 goes on to state “In determining planning applications, local planning authorities should give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights). Where the proposals would affect conservation areas, listed buildings or other relevant designated heritage assets, local planning authorities should also apply the policies set out in chapter 16 of this Framework.”
- 7.2 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.
- 7.5 A Sustainability Report has been provided with the application. The proposal takes a comprehensive approach to improving the sustainability of the building through improved insulation, use of air source heat pumps and solar panels. The report outlines that this approach reduce annual carbon emissions by 68,768 kg CO2/year, which equates to a 47.8% improvement on the existing building. This represents a substantial improvement to the performance of the building in sustainability terms.

Conclusion

- 7.3 The proposal would result in a positive benefit in terms of sustainability and energy efficiency in accordance with policies CC1 and CC2 of the Local Plan. This represents a benefit for residents and to the wider area which should be afforded significant weight in the assessment of the application in line with the Council priorities regarding the climate emergency.

8.0 DESIGN AND HERITAGE IMPACT

- 8.1 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.

8.2

- 8.3 S.72 of the above Act states in relation to Conservation Areas that: 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'
- 8.4 The National Planning Policy Framework (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.
- 8.5 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.
- 8.6 Para 201 of the NPPF states that: Local planning authorities should identify and assess the particular 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.
- 8.7 Para 203 of the NPPF states that: In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness.
- 8.8 Para 205 of the NPPF states that: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (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.
- 8.9 Para 208 of the NPPF states that: Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 8.10 The NPPF makes a clear distinction between the approach to be taken in decision-making where the proposed development would affect the significance of designated heritage assets (listed buildings, conservation areas, Registered

Parks and Gardens) and where it would affect the significance of non designated heritage assets (buildings of local historic and architectural importance).

- 8.11 The NPPF also makes a clear distinction between the approach to be taken in decision-making where the proposed development would result in 'substantial' harm and where it would result in 'less than substantial' harm.
- 8.12 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 208 and 209, 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.
- 8.13 The Planning Practice Guidance notes which accompany the NPPF remind us that it is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed.
- 8.14 In the first instance, the assessment to be made is whether the development within the Conservation Area will cause harm to that designated heritage asset or its setting. If no harm is caused, there is no need to undertake a balancing exercise. If harm would be caused, it is necessary to assess the magnitude of that harm before going to apply the balancing test as set out in paragraphs 208 and 209 of the NPPF as appropriate.
- 8.15 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.
- 8.16 Policy HC1 of the London Plan (Heritage conservation and growth) advises that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.
- 8.17 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.
- 8.18 Local Plan (2018) Policy DC1 Built Environment states that all development within the borough should create a high-quality urban environment that respects and enhances its townscape context and heritage assets.

8.19 Policy DC8 Heritage and Conservation states that the council will conserve the significance of the borough's historic environment by protecting, restoring and enhancing its heritage assets. These assets include: listed buildings, conservation areas historic parks and gardens, the scheduled monument of Fulham Palace Moated site, unscheduled archaeological remains and buildings and features of local interest. When determining applications affecting heritage assets, the council will apply the following principles: a. the presumption will be in favour of the conservation, restoration and enhancement of heritage assets, and proposals should secure the long term future of heritage assets. The more significant the designated heritage asset, the greater the presumption should be in favour of its conservation; b. applications affecting designated heritage assets, including alterations and extensions to buildings will only be permitted if the significance of the heritage asset is conserved or enhanced; c. applications should conserve the setting of, make a positive contribution to, or reveal the significance of the heritage asset. The presence of heritage assets should inform high quality design within their setting; d. applications affecting non-designated heritage assets (buildings and artefacts of local importance and interest) will be determined having regard to the scale and impact of any harm or loss and the significance of the heritage asset in accordance with paragraph 135 of the National Planning Policy Framework; e. particular regard will be given to matters of scale, height, massing, alignment, materials and use; f. where changes of use are proposed for heritage assets, the proposed use, and any alterations that are required resulting from the proposed use should be consistent with the aims of conservation of the asset's significance, including securing its optimum viable use; g. applications should include a description of the significance of the asset concerned and an assessment of the impact of the proposal upon it or its setting which should be carried out with the assistance of a suitably qualified person. The extent of the requirement should be proportionate to the nature and level of the asset's significance. Where archaeological remains of national significance may be affected applications should also be supported by an archaeological field evaluation; h. proposals which involve substantial harm, or less than substantial harm to the significance of a heritage asset will be refused unless it can be demonstrated that they meet the criteria specified in paragraph 133 and 134 of the National Planning Policy Framework; i. where a heritage asset cannot be retained in its entirety or when a change of use is proposed, the developer should ensure that a suitably qualified person carries out an analysis (including photographic surveys) of its design and significance, in order to record and advance the understanding of heritage in the borough. The extent of the requirement should be proportionate to the nature and level of the asset's significance; j. the proposal respects the principles of accessible and inclusive design; k. where measures to mitigate the effects of climate change are proposed, the applicants will be required to demonstrate how they have considered the significance of the heritage asset and tailored their proposals accordingly; l. expert advice will be required to address the need to evaluate and conserve archaeological remains, and to advise on the appropriate mitigation measures in cases where excavation is justified; and m. securing the future of heritage assets at risk identified on Historic England's national register, as part of a positive strategy for the historic environment.

- 8.20 The Council's Supplementary Planning Guidance SPD (2018) is relevant, in particular Key Principles AH1 (Information Requirements for applications for consent affecting heritage assets) AH2 (Protection of Heritage Assets) and BM2 (Proposals affecting buildings of merit). These Key Principles provide guidance which seeks to ensure that heritage assets are conserved in a manner appropriate to their significance in accordance with the NPPF.
- 8.21 The application site is located within the Central Fulham Conservation Area. The main element of the proposal which would impact upon the character and significance of the conservation area is the introduction of the air source heat pumps and their associated plant/acoustic enclosures. The plant enclosure would be set back approximately 8.4m from the front elevation of the building with a maximum height of some 2.4m above the front parapet falling to 2m due to the use of the pitched roof. It would be set back from the rear elevation by approximately 3.1m and from either side elevation by 3.6m. Each enclosure would have a length of 6.2m and a width of 3.6m.
- 8.22 In addition to the plant enclosures there would be a number of other features at roof level including the installation of solar panels, the erection of safety balustrades, the 2 automatic opening vent rooflights and the raising of the parapets with the associated insulation. The solar panels would be set across the majority of the flat roof and would be set away from the edge of the building. They would have a limited projection above the flat roof of approximately 0.3m. The safety balustrades and vent rooflights would be located relatively centrally on the flat roof immediately in front of the plant enclosure. The rear parapets of the building would be raised by approximately 0.15m to accommodate to accommodate the insulation.
- 8.23 There is existing plant at roof level as well as chimney stacks which are prevalent throughout the street scene. The pitched roofs of the terraces on Rostrevor Road to the south of Swift Street also project above the height of the flat roof of Quenington Mansions. Therefore, there is already some built form at this level. However, the proposed plant enclosures would be significantly larger than the existing plant on the roof along with the various chimney stacks. This would therefore represent something of a departure at this level in terms of built form.
- 8.24 In terms of the visual impact of the proposal this would be predominantly be from the plant enclosures. Whilst the set back from the front elevation is likely to limit any impacts upon the majority of views from Rostrevor Road itself. However, these structures would be visible in a small range of longer views along Swift Street with the enclosures projecting significantly above the flat roof height and appearing much more substantial than the existing structures at roof level. There would also be significant views from surrounding residential properties and gardens to the rear of the site although this would be somewhat mitigated by the set back from the rear and side elevations. The introduction of a pitched roof to the front of the enclosure would assist in reducing the visual bulk of the structure and along with the use of lighter tone materials and finishes would reduce their prominence and impact overall.. However, given the visibility of the unit/enclosures within these views, there would be some harm to the character

and appearance of this sub-area of the conservation area. This harm sits at the lower end of the spectrum of less than substantial harm, with the significance of the conservation area as a whole preserved in accordance with the requirements of s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 .

8.25 The remaining elements of the proposal at roof level would be relatively consolidated and not readily visible in surrounding views. Given the height of these elements the views from the public domain would be significantly restricted and any views from the side and rear of the site would also be more limited. Whilst this would result in an element of clutter alongside the plant the visual impact of this would be very restricted with the primary views of these features likely to be from upper floor windows of neighbouring properties and a limited wider impact.

8.26 The alterations to the parapet wall would be very limited in scale and the materials used would match the existing building. Therefore, this element of the proposal is considered to be sympathetic to the character of the building and would not adversely impact upon its character or that of the surrounding area or Conservation Area.

8.27 In addition to the alterations to the roof the proposal also includes the replacement of the existing windows and doors with new timber framed double glazed windows and doors along with the introduction of doors to the rear of the lower ground floor flats and an additional window per flat in the respective side elevations. The replacement and additional windows and doors would respect the materials and style of existing openings and therefore are considered to be sympathetic to the character of the building and would not adversely affect the character of the wider area.

8.28 The proposed refuse storage would be located at lower ground floor level to the front of the site and would consist of small scale timber stores along the front boundary. Given their small scale and siting below street level any views within the street scene and the wider area would be extremely limited. The proposed cycle parking would consist of wall mounted bike stands to the north west side elevation of the rear outrigger on this side of the building. Given the small scale and position of these stands they would not be visible in the street scene and would be subordinate to the character of the building as a whole.

8.28 To the rear of the site the proposal includes the landscaping of the shared rear amenity space. These changes would improve the overall legibility and usability of the space as well as its visual appearance. In addition, given the siting of these elements to the rear of the building at ground level they would not significantly impact upon the character of the building or the surrounding area.

Design and Heritage Conclusion

8.29 Generally, the proposals are supported from a design perspective. However, given the visibility of the roof top plant/enclosures within localised views, there would be some harm to the character and appearance of the Central Fulham Conservation Area. This harm sits at the lower end of the spectrum of less than

substantial harm, with the significance of the conservation area as a whole preserved in accordance with the requirements of s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. There are no heritage benefits which would outweigh this harm and wider public benefits, in accordance with paragraph 208 of the NPPF are considered in the conclusion of this report.

9.0 AMENITY OF NEIGHBOURING RESIDENTS

9.1 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

9.2 Policies DC1 and DC4 require all proposals for new builds and extensions to be formulated to respect the principles of good neighbourliness. Planning Guidance SPD Housing Key Principles 6 and 7 support Local Plan Policy HO11 and set out a more detailed means of assessment.

9.3 The immediate neighbours to the site are No.35 Rostrevor Road and Hazelwood Mansions to either side of the building. To the rear of the site are the residential dwellings between No.30-42 Chesilton Road. To the front of the site are the neighbours on the opposite side of Rostrevor Road between No.52-58. There is also the potential impact upon the residential units within the building itself.

9.4 In relation to No.35 the proposed plant enclosure would project approximately 5.4m beyond the rear facing windows of this neighbour. However, the enclosure is set in 5.8m from the boundary with this neighbour and is set back from the side elevation of the building closest to the neighbour. In conjunction with its relatively limited height it is considered that the impact upon the rear facing windows of this neighbour would be limited and it would not significantly impact upon light or outlook to these windows

9.5 The neighbours within the adjoining mansion block, Hazelwood Mansions, benefit from rear and side facing windows which would potentially be impacted by the proposed alterations at roof level. In relation to this neighbouring building the proposed plant enclosure would project approximately 6.3m beyond the main rear elevation of this building. Again, it would be set in from the shared boundary with this neighbouring building by 5.7m. This would result in a separation distance from the side facing windows of this neighbouring building of some 7.9m from these windows.

9.6 Key Principle HS7 i) seeks to ensure that rear extensions do not worsen the outlook from habitable room windows located lower than the extension. In particular this sets out that an extension to the roof should not breach a 45 degree vertical angle to side facing windows within the rear outrigger of neighbouring properties. In this instance the set back of the plant enclosure and the separation distance from the neighbouring windows would mean it would not breach the 45 degree angle to the third floor level windows at Hazelwood Mansions. In relation to the lower level windows of this neighbour the set back

would ensure that there would not be a significant additional impact compared to the existing built form of Quenington Mansions. As such it is considered that the proposal would not significantly impact upon light or outlook to this neighbour.

- 9.7 In terms of the neighbours to the rear on Chesilton Road Key Principle HS6 is relevant. This states that where garden depths do not exceed 9m a proposal should not breach a 45 degree vertical angle when taken from ground level on the rear boundary. The proposed plant enclosure would breach this angle, however the existing rear outrigger of the building already results breaches this angle. Given the set back from the rear elevation the impact of the enclosure is not significantly greater than the existing situation. Therefore, it is considered that the proposal would not result in a significant loss of light or outlook to these neighbours.
- 9.8 In terms of the flats located within Quenington Mansion itself the impact would be similar to that experienced by the neighbours at Hazelwood Mansions with some views of the plant enclosure from side facing windows in the rear outrigger. However, as set out previously, the set back of the enclosure from the side elevation would mean that any impact would be limited and would not significantly impact upon light or outlook.
- 9.9 To the front of the site the neighbours on the opposite side of Rostrevor Road would not be significantly impacted in terms of light and outlook due to the set back of the enclosure from the front elevation.
- 9.10 The other elements of the proposal would not significantly alter the overall scale and massing of the building and it is considered that these would not result in an unacceptable impact on light or outlook.

Conclusion

- 9.11 Overall, the development would not have an unacceptable impact in terms of light or outlook to adjacent existing properties and would accord with Policies DC1, DC4 and HO11 of the Local Plan (2018).

Privacy

- 9.12 SPD Key Principle HS7 (iii) sets an 18m standard from windows in new development to existing windows, in order to protect privacy. The SPD clarifies that the 18m distance would be measured by an arc of 60 degrees taken from the centre of the proposed new window to ensure that there is no loss of privacy to neighbouring occupiers. The replacement and proposed windows would provide similar views to existing windows and would not result in a significant loss of privacy to neighbours. The proposal would also result in some occasional maintenance at roof level, however, given the infrequent nature of such works this would not result in a significant long term impact. Similarly, the landscaping of the rear garden and minor changes in levels would not result in a significant change in the views available from this area.

9.13 Overall, the proposal would not result in a significant loss of privacy or overlooking. In this regard the proposed development complies with Policies DC1, DC4 and HO11 of the Local Plan (2018).

Noise and Disturbance

9.14 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.

9.15 The proposal does include plant and equipment associated with the air source heat pumps and solar panels. A noise impact assessment has been submitted with the application which demonstrates that these elements will not adversely impact upon neighbouring amenity with regards to noise. The Council's Environmental Protection Officer was consulted on the application and raised no objection subject to condition. On this basis, the proposal is in accordance with Policies CC11 and CC13 of the Local Plan and Key Principle NN4 of the Planning Guidance SPD.

10.0 HIGHWAYS AND TRANSPORTATION

Construction Logistics Plan

10.1 The main impact of the development in highway terms would be at the site setup and construction stages. Local Plan Policy T7 and Planning Guidance SPD Key Principle TR21 state that development with a potential impact upon highway operation will require a Construction Logistics Plan. Given the scale of the works it is considered that, a detailed Construction Logistics Plan should be secured by a condition. On this basis the proposal would not result in an unacceptable impact upon the Highway.

11. ENVIRONMENTAL MATTERS

Trees

11.1 Policy G7 of the London Plan further states that development proposals should ensure that, wherever possible, existing trees of value are retained. If planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed. Policy OS5 of the Local Plan states that the Council will seek retention of existing trees and provision of new trees on development sites. The supporting text (Paragraph 10.17) highlights that the loss of trees nearly always results in deterioration of ecological value and environmental character of an area and will not be acceptable without good cause.

11.2 The proposal would result in the loss of some existing small trees and shrubs on the site, however the key arboricultural features will remain on site and will be protected during the development. The Council's Tree Officer was consulted on the application and raised no objection subject to the works being carried out in

accordance with the submitted Arboricultural Impact Assessment and Tree Protection Plan. On this basis the proposal is considered to be acceptable in relation to the impact upon trees.

Flood Risk

- 11.3 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.
- 11.4 The SuDs, and Flood Risk and Water Efficiency Chapters of the Planning Guidance SPD support the above.
- 11.5 The application site is located within Flood Zone 3, however the proposal would not alter the extent of built form on the site and therefore a flood risk assessment is not considered necessary in this instance. Notwithstanding this the proposal would include rainwater harvesting in the form of a water butt and aims to improve water efficiency internally. On this basis the proposal would represent an improvement on the existing situation and there are no concerns with regards to the impact upon flood risk.
- 11.6 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 CC3 and CC4 of the Local Plan.

Air Quality

- 11.7 London Plan Policy SI1 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.
- 11.8 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.
- 11.9 The development site is within the borough wide Air Quality Management Area (AQMA). On this basis, the Council's Environmental Quality officer has considered the proposal and has recommended conditions relating to the submission of details of the installation of Zero Emission /Air Source Heat Pumps for space heating and hot water, details of induction stoves and the provision of an active travel mobility hub.
- 11.10 Given the scale of the proposal it is considered that conditions relating to induction stoves and delivery hubs would not be necessary. The number of units would not change on site and the development itself would not necessarily include the replacement of existing kitchens. The proposal is for the provision of

the air source heat pumps and therefore a condition in relation to these elements is not required in order to make the application acceptable in planning terms.

12.0 Conclusion

12.1 Officers have identified that the proposals would result in less than substantial harm to the character and appearance of the Central Fulham Conservation Area. With this harm being towards the lower end of the spectrum of less than substantial harm. There are no heritage benefits which outweigh this harm.

12.2 In accordance with paragraph 208 of the NPPF, this harm should be considered against the heritage benefits and other public benefits of the proposal scheme. These benefits include the improved thermal performance and energy efficiency of the building, alongside introduction of renewable energy sources which would reduce the reliance on carbon-based energy sources. These interventions cannot be achieved elsewhere on the site due to the constraints which exist, and the siting and design of the roof top enclosures has been carefully considered to limit the impact, particularly upon the surrounding street scene as much as possible. In this instance these improvements would lead to substantive improvements to the thermal performance, energy efficiency, alongside reducing reliance upon carbon-based energy to a total of 16 properties as part of a mansion block.

12.3 For these reasons, it is considered that there are positive public benefits of this scheme in terms of sustainability and energy efficiency in accordance with policies CC1 and CC2 of the Local Plan. Considering paragraph 208 of the NPPF, these benefits are considered to outweigh the less than substantial harm identified. As such, the proposed works would comply with 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF, the London Plan (2021), Local Plan Policies CC1, CC2, DC1, DC2 and DC8 and Key Principle AH2 of the Hammersmith and Fulham Planning Guidance SPD.

13.0 RECOMMENDATION

13.1 Grant planning permission subject to conditions.