

**Ward:** Parsons Green and Sandford

**Site Address:**

The Matrix Studios Complex 91A Peterborough Road London SW6 3BU



**Reg. No:**  
2024/02395/FUL

**Date valid:**  
30.09.2024

**Committee Date:**  
11.02.2025

**Case Officer:**  
Ronny Ferley

**Conservation Area:**  
Hurlingham Conservation Area -  
No.4 / Studdridge Street  
Conservation Area - No.7

**Applicant:**

Mr Rupert Stanley  
Matrix Masion Rouge Ltd.  
The Matrix Studios Complex  
91A Peterborough Road  
London  
SW6 3BU

**Description:**

Erection of an additional floor level at roof level to create 759 sqm of new Class E(g)(i) floorspace; installation of solar panels and rooflights at roof level; erection of ground and first floor extensions; alterations to external facades to include the installation of new doors and windows; associated external changes.

**Application type:**

Full Detailed Planning Application

**Officer Recommendation:**

- (1) That the Committee resolve that the Director of Planning and Property be authorised to grant planning permission upon the completion of a satisfactory legal agreement and subject to the conditions listed below.
  
- (2) That the Committee resolve that the Director of Planning and Property, after consultation with the Assistant Director of 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 proposed conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.

## **Conditions:**

### **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 and documents, other than where those details are altered pursuant to the conditions of this planning permission:

APL005 Rev A;  
APL006 Rev A;  
APL007; APL008 Rev A;  
APL009 Rev A;  
APL010 Rev B;  
APL011 Rev A (Proposed Section);  
APL011 Rev A (Proposed Elevations 2/3);  
APL012 (Aerial View 02);  
APL012 Rev A (Proposed Elevations 2/2);  
APL013;  
APL017;  
APL018 Rev A;  
Flood Risk Assessment.

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

### **3) Materials**

No part of the structure above ground level shall be constructed until details and samples of all materials to be used on the external faces of the building, including walls, roof coverings, windows and doors, have been submitted to and approved in writing by the Council. No part of the development shall be used or occupied prior to the completion of the development in accordance with the approved details.

To ensure a satisfactory external appearance and to prevent harm to the visual amenities of surrounding properties, in accordance with Policies DC1, DC4 and DC8 of the Local Plan (2018).

#### **4) External Lighting**

External artificial lighting at the development shall not exceed lux levels of vertical illumination at neighbouring premises that are recommended by the Institution of Lighting Professionals in the 'Guidance Notes for The Reduction of Light Pollution 2011'. Lighting should be minimized, and glare and sky glow should be prevented by correctly using, locating, aiming and shielding luminaires, in accordance with the Guidance Notes.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by lighting, in accordance with Policies CC11 and CC13 of the Local Plan (2018).

#### **5) No Plant**

No alterations shall be carried out to the external appearance of any part of the development hereby approved, including the installation of 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, DC8 and HO11 of the Local Plan (2018).

#### **6) No Aerials**

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

To ensure that the visual impact of telecommunication equipment can be considered in accordance with Policies DC1, DC4 and DC8 of the Local Plan (2018).

#### **7) Rooftop Structures**

No water tanks, water tank enclosures or other structures, other than those set out on the approved drawings, shall be erected upon the roofs of the building hereby permitted.

It is considered that such structures would seriously detract from the appearance of the building, contrary to Policies DC1, DC4 and DC8 of the Local Plan (2018).

## **8) Green Roof**

No part of the structure above ground level shall be constructed until full details of the green roof and green wall system to be used have been submitted to and approved in writing by the Local Planning Authority.

Details shall include vertical sections through the green roof and green wall, as well as a maintenance plan. No part of the development shall be used or occupied prior to the completion of the development in accordance with the agreed details.

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

## **9) Solar PV Panels**

Prior to first occupation of the development hereby approved, details of the siting, gradient and number of Solar PV Panels as shown on Dwg No. APL009 Rev A, to be installed on the roofs shall be submitted to and approved in writing by the Local Planning Authority, implemented as approved and thereafter maintained.

In the interest of sustainability and to ensure that the proposed development does not prejudice the appearance of the area in accordance with Policies CC1, DC1 and DC8 of the Local Plan (2018).

## **10) Flood Risk Assessment (FRA)**

The development hereby permitted shall not be occupied or used until the flood resilient design measures and water efficiency measures identified in the Flood Risk Assessment Ref: 479 FRA - 002 by RIDA (revised version dated Sep 2024) submitted with this application are fully implemented. The measures shall thereafter be permanently retained.

To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site, and 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).

## **11) Sustainable Drainage (SuDS)**

The development hereby approved shall not commence (save for works of site clearance and any demolition) until details of a Sustainable Drainage Strategy incorporating incorporating the green roofs, attenuation tank and any permeable landscaping areas has been submitted to and approved by the Local Planning Authority.

The SuDS measures should limit surface water discharges from the site to 0.7l/s. Section plans and substrate depth information should be provided for the green roof which is recommended to provide a minimum 80mm of substrate. Maintenance information for each SuDS measure should be provided.

The measures shall thereafter be permanently retained for the life of the development.

To reduce the impact of flooding to the proposed development and future occupants, in accordance with Policies CC3 and CC4 of the Local Plan (2018).

## **12) Construction Management/Logistics Plan**

Prior to commencement of the development hereby approved (excluding site clearance and any demolition), the following shall be submitted to, and approved in writing by, the Council:

(i) A Construction Management Plan:

Details shall include monitoring and control measures for noise, vibration, lighting, delivery locations, contractors' method statements, waste classification and disposal procedures and locations, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800-1300hrs on Saturdays and not on Sundays or 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. The approved details shall be implemented throughout the project period.

(ii) A Construction Logistics Plan-

This shall be in accordance with Transport for London (TfL) requirements and must seek to minimise the impact of construction traffic on nearby roads and restrict construction trips to off peak hours only. The details shall also include the numbers, size and routes of construction vehicles, provisions to ensure that all vehicles associated with the construction works are properly washed and cleaned to prevent the passage of mud and dirt onto the highway, and other matters relating to traffic management to be agreed. The approved details shall be implemented throughout the project period.

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

### **13) Cycle Parking**

The development shall not be used or occupied until the cycle storage areas, as shown on the approved Dwg No. APL006 Rev A have been installed, and the cycle storage areas shall be permanently retained in this form thereafter.

To ensure satisfactory provision for the cycles and thereby promote sustainable and active modes of transport, in accordance with Policy T3 of the Local Plan (2018).

### **14) Refuse Storage**

The development shall not be used or occupied until the refuse storage areas, as shown on the approved Dwg No. APL006 Rev A have been installed, and the refuse storage areas shall be permanently retained in this form thereafter.

To ensure adequate provision for refuse storage, in accordance with Policy CC7 of the Local Plan (2018).

### **15) Travel Plan**

Prior to occupation or first use of the development hereby approved, a full and detailed Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of how alternative methods of transport to and from the development, other than by car, are encouraged and promoted.

Thereafter, the development shall be carried out and operated in accordance with the agreed details contained within the Travel Plan.

The Travel Plan shall be regularly monitored and reviewed and any subsequent modifications or alterations to the Travel Plan should be submitted to and approved in writing by the Local Planning Authority.

To comply with Policy T2 of the Local Plan (2018).

### **16) Delivery and Servicing Plan**

Prior to occupation or first use of the development hereby permitted, a Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority.

Details shall include the management and times of deliveries to avoid peak times, emergency access, collection of waste and recyclables, times and frequencies of deliveries and collections, silent reversing methods, quiet loading/unloading measures, location of loading bays and vehicle movements.

The approved details shall be implemented prior to occupation and the DSP hereby permitted shall thereafter operate in accordance with the approved details.

The DSP shall be regularly monitored and reviewed and any subsequent modifications or alterations to the DSP should be submitted to and approved in writing by the LPA.

To ensure that satisfactory provision is made for refuse storage and collection and that servicing activities do not adversely impact on the highway, in accordance with Policy T7 of the London Plan (2021), and Policy T2 of the Local Plan (2018).

### **17) Second Floor Terrace**

The terrace area of the second floor hereby approved (as shown on Dwg No. APL008 Rev A) shall be used for the installation of air conditioning units (and or other approved plants and equipment) and for the purpose of maintenance only and for no other purpose whatsoever.

The use of the roof for other purposes 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).

### **18) No Further Roof Terrace**

No part of the flat roof of the hereby approved extensions and alterations shall be used as a roof terrace or other form of open amenity space.

No alterations shall be carried out; nor planters or other chattels placed on the roof.

No railings or other means of enclosure shall be erected on the roof, and no alterations shall be carried out to the property to form access onto the roof, other than for the maintenance and upkeep of the hereby approved the green roofs, walls and landscaping.

The use of the roof as a 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).

### **19) Sound Insulation**

Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of sound insulation of the building envelope and other mitigation measures, as appropriate.

Details shall demonstrate that noise from uses and activities is contained within the building/development site and shall not exceed the criteria of BS8233:2014 at neighbouring noise sensitive/habitable rooms and private external amenity spaces.



Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

**20) No Amplified Noise**

Neither music nor amplified voices emitted from the additional floor hereby permitted shall be audible at any residential/noise sensitive premises.

To ensure that the amenity of occupiers of surrounding premises are not adversely affected by noise, in accordance with Policies CC11 and CC13 of the Local Plan (2018).

**21) No Advertisement**

No advertisements shall be installed on the additional floor hereby permitted without the prior written approval of the Council.

To ensure a satisfactory external appearance of the development in accordance with Policy D3 of the London Plan (2021), Policies DC1, DC4, DC8 and DC9 of the Local Plan (2018).

**22) Zero Emission Heating**

Prior to occupation of the development hereby permitted, details (including manufacturer specification and installation/commissioning certificates) of the installed Zero Emission Air Source Heat Pumps, Heat Battery Boilers or Electric boilers to be provided for space heating and hot water for the new additional floor (Class E) 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 interest of air quality improvement and to comply with the requirements of Policy SI 1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

### **23) Ultra Low Emission Strategy**

Prior to occupation of the development hereby permitted, an Ultra Low Emission Strategy (ULES) shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:

a. Procurement policy and processes for contractors and suppliers that will incentivise and prioritise the use of Zero Exhaust Emission Vehicles in accordance with the emission hierarchy of 1) Walking Freight Trolley 2) Cargo bike (3) Electric Vehicle

b. Use of Zero Exhaust Emission Vehicles in accordance with the emissions hierarchy (1) Walking Freight Trolleys (2) Cargo bike (3) Electric Vehicle,

c. Reduction and consolidation of deliveries and collections e.g., Waste

d. Re-timing of deliveries and collections outside of peak traffic time periods of 07:00-10:00 and 15:00-19:00 hrs.

The ULES shall be monitored and reviewed on an annual basis and any subsequent modifications or alterations to the ULES should be submitted to and approved in writing by the Local Planning Authority.

The approved details shall be implemented prior to occupation and the ULES hereby permitted shall thereafter operate in accordance with the approved details.

In the interest of air quality improvement and to comply with the requirements of Policy SI 1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

### **24) Zero Emission Cargo Bike Infrastructure**

Prior to occupation of the development hereby permitted, details (including manufacturer specification, installation/commissioning certificates and photographic confirmation) of the installed minimum of three cargo bike parking spaces with cargo bike stands 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 interest of air quality improvement and to comply with the requirements of Policy SI 1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

## **25) Electric Vehicle Charging Points**

Prior to occupation of each phase of the development hereby permitted, details (including manufacturer specification, location and type, installation/commissioning certificates and photographic confirmation) of the installed active electric vehicle charging points (minimum 7 KW) for a minimum of three on-site car parking spaces 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 interest of air quality improvement and to comply with the requirements of Policy SI 1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

## **26) Limited Class E Use**

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 or the Town and Country Planning (General Permitted Development) Order 2015 (or any orders revoking and re-enacting those orders with or without modification) the premises shall be used for all Class E uses except for the following uses:

- Class E(b) - for the sale of food and drink for consumption (mostly) on the premises;
- Class E(d) for indoor sport, recreation or fitness and;
- Class E(f) for creche, day nursery or day centre.

To ensure that there would be no adverse impact upon residential amenity by reason of noise and disturbance or highway safety by reason of increased traffic generation in accordance with Policies HO11, CC11 and T1 of the Local Plan (2018).

## **Justification for approving application:**

1. Land Use: The proposal would achieve a sustainable form of development by providing additional employment floorspace and enhancing an existing employment venue for the creative industries, beneficial to local economic development. This is in line with the NPPF and London Plan objectives which encourage the intensification and co-location of light industries to improve land use efficiency and support the Council's strategy for employment land capacity. This would help to meet additional demand and/or free up land and development capacity for non-industrial uses elsewhere. Therefore, the proposed development would comply with Policies E2 and E4 of the London Plan (2021) and Policies E1, E2 and CF3 of the Local Plan (2018).

2. Design, Character and Heritage: The proposed development is held to be visually and aesthetically acceptable. The scheme is considered to be of a high quality of design which optimises the capacity of a previously developed land and respects the setting, significance and value of nearby heritage assets (CA & LB). It is considered that the proposed development would be an adequate fit within the context and be sensitive to its surroundings, especially the adjoining Grade II Listed Building site, having regard to the character and appearance of the existing site and its vicinity. Any less than substantial harm to the heritage assets, would be outweighed by the public benefits of the proposal in providing additional employment workspace and the high sustainability credentials of the proposed scheme. Overall, the proposed development is in accordance with the NPPF (2024), London Plan Policies D3, D4, D5 and HC1, as well as Local Plan Policies DC1, DC4 and DC8.

3. Residential Amenity: The proposed development would respect the principles of good neighbourliness and maintain an acceptable relationship with the neighbouring residential properties. Subject to conditions, the proposal would not have an unacceptably harmful impact on neighbouring residential amenity in terms of daylight/sunlight, glint, glare and dazzle, outlook, privacy, noise and disturbance. In these respects, the proposed scheme complies with the NPPF (2024), Policies DC1, DC4, HO11, CC11, CC12 and CC13, and relevant housing and amenity Key Principles of the 'Planning Guidance' SPD (2018).

4. Transport and Highways: It is considered that the scheme would not have a significant undue impact on the highway network, road safety and conditions or local on-street car parking demands due to restriction of car parking on and off street; hence it is deemed to be acceptable in transport terms. Satisfactory provision has been included for cycle parking and Electric Vehicles charging points are being proposed. A Travel Plan, Delivery & Servicing Plan and a Construction Logistics Plan are being secured via conditions. Adequate provision for the storage and collection of refuse and recyclables would be provided. The proposed development therefore accords with the NPPF (2024), London Plan (2021) Policies T1-T7, Local Plan (2018) Policies T1, T2, T3, T4, T7 and CC7, and relevant transport and waste management Key Principles of the 'Planning Guidance' SPD (2018).

5. Environmental Issues: The impact of the development with regards to flood risk, energy, sustainability, ecology and air quality are considered to be acceptable subject to conditions to secure further details of mitigations and appropriate measures. This would be in accordance with London Plan (2021) Policies SI 12 and SI 13 Local Plan (2018) Policies CC1, CC2, CC3, CC4, CC9 and CC10, and relevant Key Principles of the 'Planning Guidance' SPD (2018).

## **That the applicant be informed as follows:**

1. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
2. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed online via [www.thameswater.co.uk](http://www.thameswater.co.uk)
3. Permitted hours for building work  
Construction and demolition works and associated activities at the development, audible beyond the boundary of the site should not be carried out other than between the hours of 0800 - 1800hrs Mondays to Fridays and 0800 - 1300hrs on Saturdays and at no other times, including Sundays and Public/Bank Holidays, unless otherwise agreed with the Environmental Health Officer.

### Notification to neighbours of demolition/building works

At least 21 days prior to the commencement of any site works, all occupiers surrounding the site should be notified in writing of the nature and duration of works to be undertaken. The name and contact details of a person responsible for the site works should be made available for enquiries and complaints for the entire duration of the works and updates of work should be provided regularly. Any complaints should be properly addressed as quickly as possible.

### Dust

Best Practicable Means (BPM) should be used in controlling dust emissions, in accordance with the Supplementary Planning Guidance issued by the GLA 2014 for The Control of Dust and Emissions from Construction and Demolition.

### Dark smoke and nuisance

No waste materials should be burnt on site of the development hereby approved.

Noise and Vibration from demolition, piling, concrete crushing, drilling, excavating, etc.

Best Practicable Means (BPM) should be used, including low vibration methods and silenced equipment and machinery, in accordance with the Approved Codes of Practice of BS5228:2009 for noise and vibration control on construction and open sites.

4. The Metropolitan Police have a preferred security standard for the manufacture of doors and windows which is known as Secured by Design (SBD). Numerous long-term studies have shown that by fitting SBD approved specification doors and windows you will reduce the chances of becoming a burglary victim.

Within the London Borough of Hammersmith & Fulham (LBHF) all larger scale new builds/developments and refurbishments are built to this standard and it is encouraged that you to adopt Secured by Design accredited products for your own build.

You can find a list of product and suppliers on the secured by design web site: [www.securedbydesign.com](http://www.securedbydesign.com)

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

### **All Background Papers held by case officer named above:**

Application form received: 29<sup>th</sup> September 2024

Drawing Nos: see above

**Policy Documents:** National Planning Policy Framework (NPPF, 2024)  
The London Plan (2021)  
LBHF - Local Plan (2018)  
LBHF - 'Planning Guidance' Supplementary Planning Document (2018)  
LBHF - 'Affordable Workspace' Supplementary Planning Document (2022)  
LBHF - 'Climate Change' Supplementary Planning Document (2023)

### **Consultation Comments:**

**Comments from:**  
Thames Water  
Metropolitan Police Crime Prevention

**Dated:**  
10.10.2024  
25.10.2024

## **Neighbour Comments:**

### **Letters from:**

### **Dated:**

62 Clancarty Road London SW6	03.10.2024
67 Clancarty Road London SW6	03.10.2024
80 Clancarty Road London SW6	03.10.2024
121 Studdridge Street London SW6	09.10.2024
62 Clancarty Road London SW6	12.10.2024
147 Studdridge Street London SW6	24.10.2024
147 Studdridge Street London SW6	27.10.2024
145 Studdridge Street London SW6	28.10.2024
125 Studdridge Street London SW6	28.10.2024
143 Studdridge Street London SW6	29.10.2024
97 Peterborough Road London SW6	30.10.2024
145 Studdridge Street London SW6	30.10.2024
62 Clancarty Road London SW6	19.11.2024
45 Clancarty Road London SW6	19.11.2024
67 Clancarty Road London SW6	19.11.2024
70 Clancarty Road London SW6	19.11.2024
143 Studdridge Street London SW6	22.11.2024
10 Quarrendon Street London SW6	22.11.2024
304 Wandsworth Bridge Road London SW6	22.11.2024
34 Quarrendon Street London SW6	22.11.2024
43 Quarrendon Street London SW6	22.11.2024
5 Quarrendon Street London SW6	22.11.2024
88 Clancarty Road London SW6	22.11.2024
22 Quarrendon Street London SW6	22.11.2024
106 Hurlingham Road London SW6	22.11.2024
48 Bradbourne Steet London SW6	22.11.2024
15 Quarrendon Street London SW6	22.11.2024
15 Quarrendon Street London SW6	22.11.2024
No Address Given (NAG)	22.11.2024
No Address Given (NAG)	22.11.2024
No Address Given (NAG)	22.11.2024
No Address Given (NAG)	22.11.2024
No Address Given (NAG)	22.11.2024
No Address Given (NAG)	22.11.2024
4 Quarrendon Street London SW6	25.11.2024
121 Studdridge Street London SW6	25.11.2024
147 Studdridge Street London SW6	29.11.2024

## **1. SITE DESCRIPTION AND HISTORY**

- 1.1 The application site consists of the Matrix Studios complex, a large industrial type building (some 3,430sqm) comprising over 50 existing business within the creative industries sector. The main use on-site is as a premier recording studio and other uses include digital media production, physical and e-publishing agencies and artists' management teams.
- 1.2 The site is in a backland location that is surrounded by the rear of two and three storey terraced residential properties to the east along Peterborough Road, to the south on Studdridge Street and to the north facing Clancarty Road. Immediately to the east and southeast, is the Marie D'Orliac Fulham Bilingual School campus which includes No.60 Clancarty Road, the former Peterborough school keeper's cottage (Grade II Listed Building).
- 1.3 The site falls within the Hurlingham Conservation Area and shares its northern boundary with the southern extent of the Studdridge Street Conservation Area. The area has a Public Transport Accessibility Level 3 with average access to public transport links and it is part of a Controlled Parking Zone (Zone Q). It also falls within Flood Risk Zone 2 and 3 area with medium to high residual risk of flooding and forms part of a noise nuisance zone.

### **Planning History**

- 1.4 In February 2024, the applicants withdrew a full planning application (Ref 2023/03312/FUL) for the erection of an additional floor level at roof level to create 957.46 sqm of new Class E(g)(1) floorspace; installation of new solar panels and rooflights at roof level; erection of ground and first floor extensions; alterations to external facades to include the installation of new doors and windows; associated external changes.
- 1.5 In 2023 planning permission (Ref: 2023/00291/FUL) was granted for the erection of ground and first floor extensions; alterations to external facades to include the installation of new doors and windows; associated external changes. This permission has not been implemented.
- 1.6 In 2018 prior approval (Ref: 2018/00106/PD56) was approved for the change of use of part of the ground and first floor levels from an Office use (Class B1) into residential use (Class C3) comprising of 1no. two bedroom and 4no. three-bedroom self-contained maisonettes. This permission has not been implemented.
- 1.7 In 2015 prior approval (Ref: 2015/00681/PD56) was approved for the change of use of part of the ground and first floor levels from an Office use (Class B1) into



1no. two bedroom and 4no. three-bedroom self-contained maisonettes (Class C3). This permission has not been implemented.

- 1.8 In 1999 planning permission (Ref: 1999/01067/FUL) was granted for the removal of Condition 02 of planning permission (F/641/77) dated 18th May 1978 to allow the use of the premises for Class B1 purposes, together with the installation of windows at ground floor level and rooflights. This permission has been implemented.
- 1.9 In 1998 planning permission (Ref: 1997/02291/FUL) was refused for the change of use to a health club, including the provision within the building of 24 car parking spaces on the following grounds: loss of an employment site that is suitable for continued employment use and makes a valuable contribution to the range of employment in the Borough; an over provision of on-site car parking that would result in increased traffic generation and an unneighbourly impact to noise and disturbance, generated by additional vehicles and persons visiting. and at the weekends
- 1.10 In 1988 planning permission (Ref: 1987/02193/FUL) was granted for the installation of three condenser units to roof of existing building together with extension to cowl on ducting.
- 1.11 In 1987 planning permission (Ref: 1987/00478/FUL) was granted for the installation of condenser unit on roof at first floor level.
- 1.12 In 1981 planning permission (Ref: 1981/01181/FUL) was granted for the installation of boiler flue to north-west elevation.
- 1.13 In 1981 planning permission (Ref: 1981/00043/FUL) was refused for the retention of flue from boiler house due to its siting and design which result in a dominant and obtrusive structure which harms the surrounding visual amenities.
- 1.14 In 1979 planning permission (Ref: 1979/01654/FUL) was granted for the installation of new flue from adhesive spray booth on first floor.

### **Concurrent Pending Application**

- 1.15 There is a concurrent application (Ref 2024/02343/VAR) for a variation to condition 2 of planning permission ref: 2023/00291/FUL granted 28th June 2023 for the 'erection of ground and first floor extensions; alterations to external facades to include the installation of new doors and windows; associated external changes' to allow amendments to the approved drawings to include: increasing the size of the ground floor extension and alterations to south western (front) elevation to include installation of single set of French doors, alterations to north

western elevation to include infilling of part of courtyard, installation of a new window, omission of selected rooflights and new zinc roofing above the roof of ground floor extension; alterations to the first floor extension to include reducing the size of the first floor level, alterations to the design of the rooflights above the roof of first floor extension and associated external alterations.

- 1.16 These amendments would result in a small reduction in floor area to the first floor extension (by approx. 10sqm) and minor increase at ground floor (by approx. 3sqm) of the consented permission 2023/00291/FUL. These amendments are intended to refine the design and appearance of the proposed reception and courtyard through a reduction in scale and massing

## **2. PUBLICITY AND CONSULTATION**

### **Pre-Application Engagement / Previous Scheme**

- 2.1 In February 2024, the applicants withdrew of a previous application (Ref 2023/03312/FUL) which involved a larger additional floor level at roof level (957.46 sqm) so that they could review the neighbour objections received before resubmitting a revised proposal.
- 2.2 The applicant's submissions include a 'Statement of Community Involvement' which sets out the range of methods that were used during their consultation period between July and September 2024. The consultations included the following methods:
- A dedicated website and contact centre for the proposal
  - On 31 July 2024, 393 notification letters sent to residential and business addresses along with the stakeholder/individuals from the groups. On 22 August 2024, follow-up letters sent out. Letters informed local people about the proposed development, the website, feedback form and of the applicants exhibition events and online webinar
  - Consultation exhibition held 15 and 17 August 2024
  - Exhibition follow-up
  - Consultation webinar held 5 September 2024.
- 2.3 In total 21 responses were received through the various consultation methods. The feedback received centred around 5 main themes: design/appearance; daylight/sunlight; height/mass; sustainability; construction and party wall.
- 2.4 In response to the feedback, the applicant made the following amendments:
- Previously approved 1.5 storey ground floor reception and additional 1st floor extension were reduced in size in order to integrate into the re-design of the external appearance;

- The elevation bordering the school to the north has been stepped back in order to improve the visual appearance of that elevation;
- Changes to the palette of materials.

### **Application Consultation**

2.5 The application has been publicised by way of site and press notices. Individual notification letters were sent to the occupiers of 198 neighbouring properties. In response, objections were received from 29 properties. The grounds of objection can be summarised as follows

- No demand for use (i.e. music recording, as it is all digital now)
- Intensification of commercial use
- Overdevelopment, inappropriate backland development
- Design out of keeping with scale, architecture and residential character
- Green roofs out of context
- Visibility harms Conservation Areas, important views and vistas
- Submitted drawings misleading and do not show the affected properties
- Unethical development sets unwanted precedent
- Overbearing/enclosure, loss of light, overlooking, light pollution and glare
- Noise, disturbance and nuisance during construction and operational use
- Construction will cause contamination including potential asbestos
- Additional pedestrian and vehicular traffic will increase parking and congestion
- Proposal would not improve access to the site
- Safety of neighbouring school children at risk (from traffic)
- Increased flood risk from surface runoff
- Proposal against clear air strategy and sustainability targets
- Lack of consideration for fire safety
- Heat generation, heat waves and reflection concerns
- Security risk to residents
- Inadequate developer consultation and engagement with neighbours
- Insufficient Council consultation with neighbours
- Residents objected to withdrawn application, this application shouldn't be submitted
- Party wall issues
- Does the applicant intend to use the school site during the construction phase for access.

### **Officers Response**

2.6 The material planning concerns relating to the use, design, scale, conservation area, impact on neighbouring property, traffic (including safety) and parking, contamination, flood risk, air quality and sustainability are considered in the relevant section of this report.

- 2.7 Regarding, the Council's consultation process, officers are satisfied that the application has been advertised in line with the statutory requirements contained within the Town and Country Planning (Development Management Procedure) (England) Order 2015. Although, the applicants did not carry out any pre-application consultation with residents for the proposed changes to the original 2023 planning permission (Ref: 2023/00291/FUL) the proposed changes are considered modest when compared to the original permission. In line with the Council's 'Statement of Community Involvement in Planning' the applicants as carried out pre-application engagement with local residents for the larger concurrent application and it appears that most of the objections relate to that proposal (Ref 2024/02395/FUL) which involves an additional floor.
- 2.8 In respect of the submitted drawings, officers have reviewed the plans, and these are of sufficient details and accuracy for a planning assessment. In addition, as part of a robust planning assessment, officers have conducted several site visits to review the site and its context in detail
- 2.9 Concerns about contamination were addressed in the original 2023 planning permission. The Council's Contaminated Land Team raised no objections to the proposals subject to an informative which acknowledged that potentially contaminative land uses (past or present) have been identified at, and/ or, near to this site and the applicant be advised to contact the Council should any unexpected materials or malodours be encountered during excavations.
- 2.10 Air quality impacts were considered on as part of the original 2023 planning permission and officers concluded that no air quality conditions were required at that time. Officers consider that the proposed changes to the previously approved scheme would not create any additional air quality issues. The Council's Air Quality officers have raised no objections to the proposals.
- 2.11 Regarding security for neighbouring properties, the proposed variation of the previously approved drawings do not constitute a "fundamental" change to the approved development (Ref: 2023/00291/FUL) which remains extant. However, an informative would be attached which makes clear that the Metropolitan Police have a preferred security standard for the manufacture of doors and windows which is known as Secured by Design (SBD). The informative encourages fitting SBD approved specification doors and windows to reduce the chances of burglary and therefore access to neighbouring properties.

- 2.12 Matters relating to asbestos, fire safety and construction noise are covered alternative legislation under building regulations and environmental health and protection. An informative would be attached to clarify permitted hours for building work, construction and demolition works (0800 - 1800hrs Mondays to Fridays and 0800 - 1300hrs on Saturdays and at no other times, including Sundays and Public/Bank Holidays, unless otherwise agreed with the Environmental Health Officer). The informative will also require that neighbours be notified in writing of demolition/ building works at least 21 days prior to the start of any site works; contact details of a person responsible for the site works should be made available for enquiries and complaints for the entire duration of the works; best Practicable Means (BPM) should be used in controlling dust emissions, low vibration methods and silenced equipment and machinery and no waste materials should be burnt on site.
- 2.13 Party wall disputes a civil matter between the parties concerned which are covered by alternative provisions contained within the Party Wall Act.
- 2.14 The use of any part of the school for access during construction is a civil matter and if agreed would be addressed in a construction management plan which is secured by condition.

### **3. POLICY CONTEXT**

- 3.1 The Town and Country Planning Act 1990, the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011 are the principal statutory legislation for Town Planning in England.
- 3.2 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).
- 3.3 In this instance, the statutory development plan comprises the London Plan (2021), the Local Plan (2018) and the 'Planning Guidance' (2018), 'Affordable Workspace' (2022) and the 'Climate Change' (2023) Supplementary Planning Documents (hereafter referred to as 'Planning Guidance', 'Affordable Workspace' and Climate Change' SPDs). Other strategic and local supplementary planning guidance and other documents from the Council and the Greater London Authority/Mayor of London are also material to the determination of the application.

### **National Planning Policy Framework (2024)**

- 3.4 The National Planning Policy Framework - NPPF (as updated December 2024) 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.
- 3.5 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.

### **The London Plan (2021)**

- 3.6 The London Plan (2021) was published in March 2021 and is the Spatial Development Strategy for Greater London. The Plan provides the strategic planning policies for London, setting out an integrated economic, environmental, transport and social framework for growth over the next 20-25 years. The proposed development has been assessed in line with the policies set out in the London Plan. The London Plan is supported by guidance, which provides further information about how the London Plan Policies should be implemented in the form of Supplementary Planning Guidance ('SPG') documents which have also been considered in determining this application.

### **The Local Plan (2018)**

- 3.7 The Council Local Plan was adopted 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' (February 2018) and 'Climate Change' (October 2023) Supplementary Planning Documents (SPDs) are also material considerations. These provide supplementary detail to the policies and are organised around key principles.
- 3.8 With regard to this application, all planning policies in the National Planning Policy Framework (NPPF, 2023), London Plan (2021), Local Plan (2018), and Supplementary Planning Guidance (SPG)/Supplementary Planning Documents (SPDs) have been referenced where relevant.
- 3.9 The main planning considerations in light of the London Plan (2021), and the Local Plan (2018) (hereafter referred to as Local Plan 2018), the 'Planning Guidance' Supplementary Planning Document (2018) (hereafter referred to as the 'Planning Guidance' SPD), the 'Affordable Workspace' Supplementary Planning Document (2022) (hereafter referred to as the 'Affordable Workspace' SPD) and the 'Climate Change' Supplementary Planning Document (2023) (hereafter referred to as the 'Climate Change' SPD), include:

- land use;
- design, character and heritage;
- neighbouring amenity;
- transport and highways;
- environmental considerations.

#### 4. **LAND USE**

##### **Additional Employment / Light Industrial Floorspace**

- 4.1 Policy E2 (Providing suitable business space) of the London Plan states that boroughs should include policies in Local Development Plan Documents that support the provision, and where appropriate, protection of a range of business space, in terms of type, use and size, at an appropriate range of rents, to meet the needs of micro, small and medium-sized enterprises and to support firms wishing to start-up or expand.
- 4.2 London Plan Policy E4 relates to land for industry, logistics and services to support London's economic function. The Mayor of London Draft 'London Plan Guidance for Industrial Land and Uses' states that suitable light industrial premises can, for example, provide space for emerging industrial related sectors, such as creative industry production and maker.
- 4.3 Policy E1 of the Local Plan encourages the retention, enhancement and intensification of existing employment uses and specifically necessitates flexible space suitable for small and medium enterprises (SMEs). Policy E1 also requires affordable space suitable for local SMEs in large new business developments, unless justified by the type and nature of the proposal and subject to viability.' The supporting text (para. 7.3-7.5) confirms there is a need for genuinely affordable workspace for local people/businesses including micro SMEs and startups in a range of sizes'. Additionally, Local Pan Policy E2 stipulates that the Council will require the retention of land and premises capable of providing continued accommodation for employment or local services.
- 4.4 Local Plan Policy CF3 asserts that the Council will support the enhancement of arts, culture, entertainment, leisure, recreation and sport uses by:
- a. supporting the continued presence of the borough's arts, culture, entertainment, leisure, recreation and sports venues subject to the local impact of venues being managed without added detriment to local residents;
  - b. requiring proposals for new and expanded venues to be accessible and inclusive and to be supported by evidence of how impacts such as noise, traffic, parking and opening hours have been assessed, minimised and mitigated;

- c. seeking retention, replacement or enhancement of existing arts, culture, entertainment, leisure, recreation and sport uses, unless there is clear evidence that there is no longer an identified need for a particular facility or alternative community arts, culture, entertainment, leisure, recreation and sport uses.
  - d. Supporting the temporary use of vacant buildings for community uses, including for performance and creative work.
- 4.5 The Council's SPD for 'Affordable Workspace' helps to inform discussions and proposals on applications that provide affordable workspace. Appendix C of the SPD, para. 8.3 and Table C1 sets out measures to support affordable and flexible accommodation.
- 4.6 The Council is currently working with local residents, businesses, arts and community organisations to agree a new Cultural Strategy. It will serve as a 10-year plan to help make the Borough an even better place to live, study, work and visit. The Cultural Strategy will reflect the Council's industrial strategy, 'Economic Growth for Everyone', which puts the creative industries at the centre of our vision for a prosperous future for all; it links the Council's education priorities and helps stimulate our visitor economy.
- 4.7 The application site was established to provide recording and office accommodation for the music industry. It is now home to over 50 businesses in the creative industries sector ranging from its core occupation as a recording studio to being the home to independent digital media production, physical and e-publishing agencies and artists' management teams. The Matrix Studios Complex presently provides some 3430sqm of accommodation for creative industries companies together with the core recording studios use.
- 4.8 The proposal is to provide an additional floor to the premises and create an extra approx. 759sqm of office space falling into Use Class E (g) (i). The office space would support the main function of the site as a hub for creative industries companies. This use would be compatible with and complement the main use which falls in Use Class E (g) (iii) for any industrial process, being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.
- 4.9 The application submissions do not quantify the likely increase in employment, however officers consider that the additional floorspace would create additional employment opportunities at the site.
- 4.10 Following negotiations with officers the applicant has offered to provide 10% of the total increase in floorspace (GIA) as affordable workspace for 10 years at 20% discount to Open Market Rental Value (OMRV), and how this is to be managed



and run through a Workspace Management Plan. This would be secured via a S106 agreement.

4.11 Officers have also secured a financial contribution of £30,000 towards local employment, training and local businesses including:

- at least 10% of the total number of people employed on the construction of the development would be local residents,
- 3 apprenticeships, 3 paid work and 3 unpaid placements
- at least 20% of the total number of people employed in the end use of the development would be local residents.
- 10% of the build cost to be spent on businesses based in H&F in the supply chain of the development
- 10% local labour during construction phase, including an employment and skills plan
- Operational phase; Local Procurement £4,300 to help with local supply chain activity
- A commitment to sign up to the Council's Upstream Pathway Bond H&F Upstream Pathway Bond | London Borough of Hammersmith & Fulham, a broad menu of opportunities to help businesses play a meaningful role in supporting the local community in which they operate – and to encouraging end-users of the development to do so.

#### Conclusion on Land Use

4.12 The site has evolved into a versatile workspace for modern creative companies and facilitates, the provision of dynamic workspaces and state-of-the-art recording studios in Southwest London. The proposed scheme would help to consolidate and modernise this established use and generate employment opportunities with economic benefits to support the provision of workspaces for the creative industries in the Borough. The proposed additional floorspace will strengthen the employment provision of the creative industries in this location and within the Borough as a whole.

4.13 Overall, the proposed development would comply with Policies E2 and E4 of the London Plan and Policies E1, E2 and CF3 of the Local Plan.

## **5. DESIGN, CHARACTER AND HERITAGE**

5.1 The NPPF 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.

- 5.2 Where a proposal would result in harm to the significance of a designated heritage asset it should be identified whether the harm is substantial or less than substantial. If the harm is substantial, the proposed development should be considered in respect of para. 214 of the NPPF and if the harm is less than substantial, the development should be considered in respect of para. 215 of the NPPF.
- 5.3 There is a duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Section 66(1) of the Act states that when considering whether to grant planning permission for development which affects a listed building or its setting, the LPA shall have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.
- 5.4 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".
- 5.5 Local Plan Policy DC1 states that all development within the borough should create a high-quality urban environment that respects and enhances its townscape context and heritage assets.
- 5.6 Policy DC4 of the Local Plan states that the council will require a high standard of design in all alterations and extensions to existing buildings. These should be:
- compatible with the scale and character of existing development, neighbouring properties and their setting;
  - successfully integrated into the architectural design of the existing building; and
  - subservient and should never dominate the parent building in bulk, scale, materials or design.
- 5.7 Local Plan Policy DC8 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 NPPF;
- 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 NPPF;
- 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.
- 5.8 The Council's 'Planning Guidance' Supplementary Planning Document (2018) is also relevant, in particular Key Principles AH1 (Information Requirements for applications for consent affecting heritage assets), AH2 (Protection of Heritage Assets), CAG1 (Land Use in Conservation Areas) and CAG2 (Urban Design in Conservation Areas). 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.

## **Design**

- 5.9 The existing Matrix Studios development is a large industrial building occupying a back land site and screened to the north, west and south by high quality residential terraces, and the former Peterborough School campus to the east. The existing building has a large footprint and features a significant roofscape with varying shallow pitches and detailed in corrugated metal materials.
- 5.10 Given the enclosure of the building, it has limited visibility from the surrounding context, largely from windows of adjacent residential properties. There is some additional visibility of the existing structure from the playground of the existing school and within Clancarty Road. The site benefits from extant consent for small infill extensions largely to the northern aspect of the site, with an application to vary this consent currently pending consideration.
- 5.11 The proposed development would bring forward an additional floor of accommodation at roof level. This is designed as an a symmetrical, dual-pitched roof, with the ridge focussed towards the southern portion of the site. The extensions do not cover the full extent of the existing roofscape and are set-in from the northern extent.

- 5.12 The main form of the new dual-pitched roof would be treated in standing seam zinc, detailed in a light grey colour, and the northern pitch broken-up through use of perforated metal mesh and soft landscape feature to break-up and integrate with the existing building. Other areas within the northern section of the extension are cut-back and integrate green roofs, featuring vegetation and foliage to soften the impact of the moderate additional bulk and promote biodiversity.
- 5.13 The southern pitch of the roof includes a cut-out section in order to provide additional light to the internal environment of the scheme. This pitch also includes provision of integrated photovoltaic solar panels to optimise on-site solar energy generation.
- 5.14 Overall the design of the proposal presents a well-considered extension to the existing development which would improve the visual performance of the building and allowing for additional internal floorspace to be provided. The development is considered to represent a high-quality of design.

### **Heritage**

- 5.15 The proposal site is situated in the Hurlingham conservation area, and the northern extent of the site abuts the southern boundary of Studdridge Street conservation area. To the eastern boundary of the site, features the Grade II listed former Peterborough School and caretaker's cottage, (now known as Fulham Bilingual School).

#### Hurlingham Conservation Area

- 5.16 The Hurlingham Conservation Area was designated in 1971 and covers a significant area focussed predominantly on the river frontage and the Hurlingham Club. The proposal site is situated in the eastern portion of the conservation area has a mixed character, including the public open space of South Park, the former Peterborough Road school campus. With the proposal site featuring a mix of former industrial back land development enclosed by residential terraces featuring cohesive architectural styles and use of traditional materials.

#### Assessment of Impact

- 5.17 Given the back land nature of the application site, the proposed development would have limited visibility from surrounding streets and would largely be visible in rear gardens of private dwellings. Like the existing building, there would be some increased visibility of the development from Clancarty Road and the playground of the former Peterborough School, however any change

to these views would be marginal. The use of high-quality materials, and greening in key public views of the site would serve to limit any impact upon the established character and appearance of the conservation area overall.

- 5.18 Consequently, officers conclude that the development would not result in harm to the character and significance of the conservation area, which would be preserved if planning permission were granted for this development.

#### Studdridge Street Conservation Area

- 5.19 The Studdridge Street Conservation Area was designated in 1975. The historic character and significance of the conservation area is formed around the high quality Victorian terraces, and architecture featuring consistent use of red brick, slate, terracotta friezes at eaves level and below first floor window sills, string courses, panels and cambered window heads, and decorative timber balustraded balconies. Many of these properties have been altered by the addition of a roof extension that the mansard design with Velux roof lights is now so commonplace that it forms part of the character of the area.

#### Assessment of Impact

- 5.20 Given the back land nature of the application site, the proposed development would have negligible visibility from surrounding streets and would largely be visible in rear gardens of private dwellings within the conservation area. The use of high-quality materials, and greening in key public views of the site would serve to limit any impact upon the setting and established character and appearance of the conservation area overall.
- 5.21 Consequently, officers conclude that the development would not result in harm to the setting, or character and significance of the conservation area, which would be preserved if planning permission were granted for this development.

#### Former Peterborough School and caretaker's cottage, (currently known as Fulham Bilingual School) – Grade II Listed

- 5.22 The building is listed primarily due to its use, and architectural appearance, being an unusually handsome and well-preserved example of a London Board School, designed by the Board's architect TJ Bailey and notable for its striking roofline of towers, gables and dormers; the external treatment of the building is noted to be in a Free Renaissance style, with much decorative use of red brick and terracotta.

- 5.23 The southern façade fronting Clancarty Road is of particular significance, featuring a central hall block with a crenelated parapet, its five bays divided by red-brick piers with terracotta volutes and niche finials. This is flanked by twin stair towers with finials and shaped gables.
- 5.24 The caretaker's cottage 60 Clancarty Road is also high historic significance due mainly to its appearance, composed of stock brick with a roughcast upper storey and a tiled gabled roof.

#### Assessment of Impact

- 5.25 Officers consider that the proposal has been designed to carefully consider the Impacts upon the setting of the adjacent Grade II Listed Building, allowing for the character, significance, and setting of this heritage asset to be preserved. The existing Matrix Studios building is visible as an unimposing feature on the western boundary of school campus, as a solid boundary to the existing external playground.
- 5.26 The proposed design would, through introduction of the asymmetrical dual-pitched roof gable, slightly increase the visibility of the development within this setting. However, the set-back and reduced scale of the gable, incorporating high-quality materials and green roof features along this prominent edge condition would limit the development having any overbearing or incongruous impact upon the setting of this asset.
- 5.27 As such the proposals would result in not result in harm to the setting, or character and significance of the Listed Building, maintaining its prominence within the local townscape.

#### **Design and Heritage Conclusion**

- 5.28 Overall, the proposed development seeks to enlarge the existing Matrix Studios through provision of an additional floor at roof level, the design of which features a dual-pitched roof and introduction of green roofs. The extensions are considered to represent a high-quality of design which improve and enhance the visual appearance of the host building overall.
- 5.29 The proposed development would not impact upon the character and appearance or setting of heritage assets including the Hurlingham and Studdridge Street conservation areas and the setting of the Grade II listed, former Peterborough School and caretaker's cottage, (currently known as Fulham Bilingual School).

- 5.30 As such, the proposed development is considered acceptable with due regards to s66 and s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in accordance with the NPPF (2024), London Plan (2021) and Local Plan (2018) Policies DC1, DC4 and DC8.

## **6. RESIDENTIAL AMENITY**

- 6.1 Policies DC1, DC4, CC11, CC13 and HO11 of the Local Plan require all proposals to be formulated to respect the principles of good neighbourliness. The 'Planning Guidance' SPD Housing Key Principles HS6 and HS7 seek to protect the existing amenities of neighbouring residential properties in terms of outlook, light, privacy and noise and disturbance.
- 6.2 Policies CC11 (Noise) and CC13 (Control of Potentially Polluting Uses) also deal with environmental nuisance and requires all developments to ensure that there is no undue detriment to the general amenities at present enjoyed by existing surrounding occupiers of their properties.
- 6.3 The application site is bounded on three of its four sides (north, west and south) by residential properties constituting mainly of terraced houses along Studdridge Street to the north, Peterborough Road to west and Clancarty Road to the south. These are the main neighbouring residential properties stand to be affected by the proposal.

### **Outlook and Sense of Enclosure**

- 6.4 The Council's SPD Housing Key Principle HS6 acknowledges that a building's proximity can have an overbearing and dominating effect detrimental to the enjoyment by adjoining residential occupiers of their properties. Although it is dependent upon the proximity and scale of the proposed development, a general standard can be adopted by reference to a line drawn at an angle of 45 degrees from a point 2m above the adjoining ground level of the boundaries of the site where it adjoins residential properties. However, on sites that adjoin residential properties that have rear gardens of less than 9m in length, this line should be measured at 45 degrees from the ground level on the boundary of the site where it adjoins residential properties. If any part of the proposed building extends beyond these lines, then an on-site judgement will be a determining factor in assessing the effect which the proposed development will have on the amenity of occupiers at neighbouring properties.



- 6.5 The proposed additional floor would occupy part of but not all of the current roof of the existing building to create a new second floor. The proposed additional floor would have a 'T-shape' form that would be offset from the rear gardens on northern boundary along Studdridge Street by between 5m and 11m. On the southern boundary with Clancarty Road the additional floor would be between 5.5m and 7m from the rear boundary. To the west, additional floor would be some 7m of the rear.
- 6.6 The proposals also include extensions at ground and first floor level that are smaller in height than the consented structures approved under the 2023 permission (Ref 2023/00291/FUL) which remains extant. Notably, the ground and first floor extensions being sought are essentially the same as those included in the concurrent application which seeks to vary the approved drawings (Condition 2) of the consented scheme (2023/00291/FUL) to allow amendments which include: increasing the footprint of the ground floor reception area (3 sqm) and reducing the footprint of the at first floor (10 sqm);

#### Studdridge Street

- 6.7 The proposed additional by reason of its design and siting would have no undue impact on the properties in Studdridge Street.
- 6.8 The altered ground floor extension would run parallel with the rear party boundaries of Nos. 139 to 145 Studdridge Street which include rear gardens that are 7m deep. The proposed ground floor extension would be reduced by half a storey in height compared to the consented scheme to match the height of the existing boundary wall (approx. 2.7m). Notably, the existing building already breaches a notional 45-degree line from the ground floor of those gardens and the proposed alterations would cause no worsening to the existing situation and would improve outlook when compared to the consented scheme.
- 6.9 The northern flank of the reduced first floor extension would be some 11m from the nearest properties in Studdridge Street; the reduced height and mass would improve the outlook to those properties when compared to the consented scheme.
- 6.10 The proposed alterations would fall within a notional 45-degree line from the ground floor of those rear gardens and would improve the outlook when compared to the consented scheme. The proposed green roof is extensive proposed and would improve the outlook from the Studdridge Street properties.

#### Clancarty Road

- 6.11 The proposed additional floor by reason of its design and siting would have no undue impact on the properties in Clancarty Road. The proposed first floor extension would be adjacent to the rear garden of No.82 Clancarty Road, which has rear gardens of some 10m deep. The proposed first floor changes would

include a 1m setback and a 1m reduction in height when compared to the consented scheme.

- 6.12 The proposed additional floor and extensions at ground and first floor would not breach a notional line of 45-degrees from a 2m height above ground level. The proposals would fall within the limits of acceptability in terms of outlook.

#### Peterborough Road

- 6.13 The additional floor would marginally breach a notional 45-degree line from a 2m height on the boundary and in accordance with SPD HS6 on-site judgment is the determining factor. The technical breach is considered modest within this context as the additional floor includes a setback of some 7m from the rear boundaries at Nos.93-101 and would not breach the relevant notional 45-degree line cited under SPD HS6. Furthermore, officers consider that the inclusion of foliage/vegetation cover through the planting green roof and the use of a soft material palette, would mitigate the minor infringement and in these circumstances based on an on-site judgement, the proposed development would have an acceptable impact in terms of outlook to residential properties along Peterborough Road.
- 6.14 At ground floor the changes to the consented scheme would be adjacent to No.91 Peterborough Road and would be situated some 15m from the rear of that property. Significantly, the proposed changes at ground floor include a reduced half storey height (maximum -1.7m) when compared to the consented scheme. This reduction in height would result in an improvement in terms of outlook from No.91 as measured from a notional 45 degree line from the ground floor.
- 6.15 The proposed first floor changes would include a 1m setback and a 1m reduction in height when compared to the consented scheme. The changes would result in an improvement in outlook from Nos 91-101 Peterborough Road which would fall within the notional 45-degree lines set out in the SPD.

#### Conclusion on Outlook and Sense of Enclosure

- 6.16 Overall, the proposed development would fall within acceptable limits in terms of outlook and sense of enclosure on neighbouring properties in accordance with Key Principle HS6.

#### **Daylight and Sunlight**

- 6.17 There are no specific policies about daylight, sunlight or overshadowing in the Local Plan Policy HO11 of the Local Plan includes requirements for residential developments to avoid detrimental impacts on the amenities of residents in the surrounding area. The policy states the protection of existing residential

amenities, including such issues such as loss of daylight, sunlight, privacy, and outlook.

- 6.18 Policy DC1 (Built Environment) require development to be well designed and respect of the principles of good neighbourliness. Policy DC4 requires development to be designed to respect residential amenity and to demonstrate good neighbourliness. This is expanded on within the 'Planning Guidance' SPD. Key Principles HS6 and HS7 of the SPD seek to protect the existing amenities of neighbouring residential properties, in terms of outlook, light, and privacy.
- 6.19 The applicant has submitted a Daylight/Sunlight Report to assess the impact of the development on the natural light receivable to surrounding properties. The report considers the impact of the development on residential properties along Studdridge Street, Peterborough Road and Clancarty Road.
- 6.20 In total 294 windows and 120 habitable rooms were assessed for 31 neighbouring buildings/properties for Vertical Sky Component (VSC) and No Sky-Line (NSL). The results show that all 294 (100%) windows would satisfy the VSC guidelines, and 119 (99%) rooms would satisfy the NSL guidelines. The single window that falls short is at No.74 Clancarty Road a serves a non-habitable ground floor kitchen (some 7sqm). The Local Plan Glossary makes clear that "a habitable room is any room used or intended to be used for dwelling purposes above 6.5 sqm in floor area except for kitchens of less than 13 sqm, bathrooms and WCs. Therefore, the affected window at No.74 is does not serve a habitable room window. No.74 recently received planning permission for a single storey rear extension (Ref No. 2022/03626/FUL approved in April 2023) which would remove the existing affected window in connection with an open plan space that would benefit from an alternative large glazed rear opening.
- 6.21 In terms of sunlight, 75 windows were considered for APSH (Annual Probable Sunshine Hours) and all of them (100%) showed compliance with both annual and winter APSH. In regard to sunlight to neighbouring gardens and amenity spaces, the results of the two-hour sun-on-ground assessment concluded that of the 22 gardens/amenity spaces assessed, again all of them (100%) would satisfy the BRE guidelines for sun on ground. This is by retaining at least two hours of sunlight on 21 March in the proposed condition, the factor of former value, and whether the results meet the BRE numerical guidelines (i.e., at least 50% or at least 0.80 times former value).

### Conclusion on Daylight and Sunlight

- 6.22 Officers have considered the daylight and sunlight report and have no reason to disagree with its conclusions. The relationship between properties would not be unduly impacted so as to cause noticeable loss of light to any of the adjoining residential properties.
- 6.23 In view of the above, the proposals would accord with London Plan D6, Local Plan Policies HO11, DC1 and DC4.

### **Privacy**

- 6.24 SPD Key Principle HS7(iii) requires that any new windows should be positioned at least 18m from existing habitable room windows. This will be measured by an arc of 60 degrees taken from the centre of the proposed new window to ensure there is no loss of privacy. If this standard cannot be met, then windows should be designed to ensure that no loss of privacy will occur.

### Studdridge Street

- 6.25 The proposed additional floor would include new openings with partial perforated metal mesh screens, on its northern elevation adjacent to the rear elevation of properties along Studdridge Street. However, these windows would be separated by a distance in excess of 18m from the nearest opposing windows in the rear elevation of the Studdridge Street and the perforated metal screens would further reduce any opportunities for overlooking views towards properties in Studdridge Street.
- 6.26 Replacement windows are also proposed at first floor in the northern elevation facing towards the Studdridge Street properties. These windows would be in a similar location to existing and be set back more than 18m from opposing the rear elevation of properties in Studdridge Street. These replacement windows would not result in any undue loss privacy and overlooking.

### Clancarty Street

- 6.27 The proposed southern elevation includes windows within the new additional floor; however these windows would be set within a courtyard behind a 3m wall permitting views into the courtyard only but not beyond site towards the opposing properties fronting Clancarty Road.

### Peterborough Road

- 6.28 At first floor along the western (front) elevation there are replacement windows proposed facing the rear of properties along Peterborough Road; notably, these windows would set no closer to the rear elevation of these neighbouring

properties than existing. The proposed development would remove some existing first floor windows which are set closer to the Peterborough Road properties by having a windowless mansard on the most forward front elevation which would slightly improve the relationship with the Peterborough Road properties in terms of privacy protection and limiting any harmful overlooking.

- 6.29 At ground floor facing Peterborough Road, all the proposed windows would be replacement windows in the same location as existing. Overall, the interruption of existing boundary walls/fences including foliage and vegetation there would be no further opportunities for harmful overlooking at this level.

#### Proposed Flat Roofs

- 6.30 The flat roofs areas of the proposed development would be restricted by condition to be limited to providing access for maintenance of the proposed plants, equipment and green roofs and not to allow any use for amenity or recreational purposes.

#### Conclusion on Privacy

- 6.31 Overall, none of the opposing existing residential properties would experience a loss of privacy as a result of harmful actual and perceived overlooking from the proposed development. The proposal therefore accords with Policy HO11 of the Local Plan and Key Principle HS7 of the Planning Guidance SPD.

#### **Noise**

- 6.32 London Plan Policy D14 sets out measures to reduce, manage and mitigate noise to improve health and quality of life. Local Plan Policy CC11 advises that noise and vibration impacts will be controlled by locating noise sensitive development in appropriate locations and protected against existing and proposed sources of noise through design, layout, and materials. Noise generating development will not be permitted if it would materially increase the noise experienced by occupants/users of existing or proposed noise sensitive areas in the vicinity. Policy CC13 seeks to control pollution, including noise, and requires proposed developments to show that there would be 'no undue detriment to the general amenities enjoyed by existing surrounding occupiers of their properties'.
- 6.33 The proposed scheme has been considered by the Council's Environmental Protection Team who have raised no objections subject to conditions to safeguard against harmful noise impacts. The site is an employment venue and the vast majority of daily activities would take place internally within the building. Whilst the additional floor could create an increase in activities, including comings and goings to the site, these would take place at normal working hours during the weekday and not at unsociable hours which would coincide with

when most residents are at home during the evenings and weekends. The proposal would also remove a number of plant equipment on the existing roof and place them in dedicated areas set lower than the roof (within a courtyard at second floor) which is an improvement in terms of potential noise spillage.

- 6.34 Regarding noise during the construction phase, conditions would be attached to secure the submission of details for management plans, to control and limit potential nuisance during this phase.

#### Conclusion on Noise

- 6.35 It is considered that the proposed development would not result in any undue noise impact on residential occupiers. As such, the proposal accords with London Plan D14 and Local Plan Policies CC1 and CC13.

#### **Glint, Glare and Dazzle from Solar Panels**

- 6.36 Policy CC12 of the Local Plan states at point (d) that proposals must provide adequate protection from glare and light spill, particularly to nearby sensitive receptors such as residential properties and Nature Conservation Areas, including the River Thames. Supporting para.6.76 of Policy HO11 states that it is always necessary for developments to take into account the residential amenity of neighbours and the impact on the environment. However, this is especially important in a densely built borough such as Hammersmith and Fulham where developments are often juxtaposed with their neighbours.
- 6.37 The application is submitted with a 'PV Glare Assessment' report which assesses the potential for glare which may be experienced by neighbouring residential windows for the properties on Peterborough Road and Clancarty Road, as a consequence of the PV arrays on the proposed roof. The study has been carried out using the assessment methodology recommended in the Building Research Establishment (BRE) Report 209.
- 6.38 Modern solar PV panels are designed to absorb as much sunlight as possible to maximise energy generation, with minimal reflection. They typically use anti-reflective coatings that significantly reduce the potential for glint, glare and dazzle. The proposed PV panels are positioned at an angle optimised for solar energy generation, which also directs potential reflections upward towards the sky rather than towards neighbouring properties. This reduces the likelihood of reflections affecting neighbouring windows, gardens, or public spaces.
- 6.39 The report considered the levels of potential solar glare present at receptor locations within the 10 neighbouring properties. It concludes that the PV array being proposed would generate a small instance of glare to one of the 22 test points. However, the instance is not within the most sensitive 5 degrees of a

human's eyeline. Any potential glare is only visible between 10 to 29.9 degrees for a very short period of time, which is considered to be a negligible effect on neighbouring residential properties. Hence, the proposed PV array would not generate any instances of significant solar glare to nearby residential homeowners. Officers have considered the report and have no contrary reason to disagree with its conclusions.

#### Conclusion on Glint, Glare and Dazzle

- 6.40 Overall, the potential for glint, glare and dazzle from the proposed PV panels is minimal and the development is not expected to cause any significant adverse impacts on neighbouring properties or public areas in terms of visual comfort or amenity. The proposals therefore accord with Local Plan Policy CC12.

#### General Conclusion on Neighbouring Amenity

- 6.41 Overall, the proposed development would respect the principles of good neighbourliness and maintain an acceptable relationship with the neighbouring residential properties. Subject to conditions, the proposed scheme would not have an unacceptably harmful impact on neighbouring residential amenity in terms of daylight/sunlight, outlook, privacy, noise and disturbance as well as glint, glare and dazzle. In this regard, the proposed development complies with Policies DC1, DC4, HO11, CC11, CC12 and CC13 of the Local Plan, and relevant housing and amenity Key Principles of the 'Planning Guidance' SPD.

## **7. TRANSPORT AND HIGHWAYS**

- 7.1 Paragraph 115 of the NPPF states that in assessing applications for development, it should be ensured that sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location and that safe and suitable access to the site can be achieved for all users.
- 7.2 Paragraph 116 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios. 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.
- 7.3 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'. 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. The above policies are supported by Transport Key Principles of the 'Planning Guidance' SPD.

- 7.4 Local Plan Policy CC7 sets out the requirements for all new developments to provide suitable facilities for the management of waste.

### **Car Parking**

- 7.5 Policy T4 of the Local Plan specifies that car parking permit free measures will be required on all new development unless evidence is provided to show that there is a significant lack of public transport available or in locations where the PTAL rating is 2 or lower (TfL's Public Transport Accessibility Level). Policy T6 of the London Plan states that car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport.
- 7.6 The site has a PTAL rating of 3 meaning it has average access to public transport options. However, the application is for an extension of an existing use at the site and not for a change of use. Nonetheless, with the creation of some additional 759 sqm of floorspace allocated for office use, it is possible that the scheme could still increase demands for car parking on-street due to limited availability on site. Businesses within the borough are allowed up to two business parking permits, regardless of the size of the business. Each permit is for one vehicle only. The Council's Transport & Highway Team have been consulted and have advised that given the site is already has two car parking permits for the local Controlled Parking Zone and this is the maximum allowable, there is no need to further restrict car parking permits right in this instance.
- 7.7 The proposal would reduce on-site car parking from 5 to 3 bays with EV charging points introduced which is justified by the need to provide additional cycle parking spaces and this is welcomed by officers. Therefore, any additional trip generation caused by the proposal would be through sustainable transport mode. Hence, the proposed development would not exacerbate the existing levels of parking stress and congestion, which helps with air quality improvement from vehicle emissions.

### **Cycle Parking**

- 7.8 Policy T1 of the Local Plan seeks to encourage the provision and use of public transport and bicycles, to improve congestion and air quality within the Borough. Policy T5 of the London Plan specifies that cycle parking should be fit for



purpose, secure and well-located. It requires 1 space per 75sqm in areas with higher cycle requirements which the site falls within. This means that approx. 10 additional cycle parking spaces would be required.

- 7.9 The scheme proposes 15 extra cycle parking spaces which brings the site's capacity to a total of 30 spaces, including e-bike charging points to increase the choice of sustainable modes of transport. This would be secured by a compliance condition.

### **Refuse, Recycling and Servicing**

- 7.10 The submitted Design & Access Statement states that new internal storage for refuse bins are being proposed compared to the current situation where they are stored externally; further details would be secured by condition. The submissions do not include any information regarding delivery, collection and servicing; these details would be secured by condition.

### **Travel Plan**

- 7.11 A Travel Plan would be secured by condition to show how a reduction in dependency on the private car will be achieved. This would help to mitigate circumstances whereby employees and visitors to the site are able to use their own private car by either being in possession of a car parking permit, using on-street pay and display bays and/or using on-site car parking spaces. The Travel Plan must include clear and unambiguous objectives and modal split targets, together with a time-bound programme of implementation and regular review and improvement; this would ensure satisfactory provision for sustainable travel arrangements and thereby encourage sustainable and active modes of transport, in accordance with Policy T3 of the Local Plan.

### **Construction Logistics Plan**

- 7.12 In order to assess and minimise the impact of the construction of the proposed development on the local highway network, the submission of a Construction and Demolition Plan is required to include the numbers, size and routes of construction vehicles, provisions within the site to ensure that all vehicles associated with the construction works are properly managed, washed and cleaned to prevent the transfer of mud and dirt onto the highway/footway. As well as other matters relating to traffic management to be agreed with the Network Management and the Permit Coordinators of the Council. Subject to a condition securing further a detailed CLP, officers consider that the proposals would not unduly impact the nearby highway network during the construction phase.

## Highways Conclusion

- 7.13 Overall, there are no objections to the proposed development from a transport and highways perspective. Therefore, subject to the outlined conditions, the scheme would accord with the relevant policies of the London Plan and the Local Plan.

## **8. ENVIRONMENTAL CONSIDERATIONS**

### **Flood Risk / Sustainable Drainage (SuDS)**

- 8.1 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.
- 8.2 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 surfacing should normally be resisted unless they can be shown to be unavoidable and that drainage should be designed and implemented to address water efficiency, water quality, biodiversity and recreation.
- 8.3 Local Plan Policy CC3 requires that new development reduce the use of water and be designed to take account of increasing risks of flooding. Policy CC4 states that new development would be expected to manage surface water run off by implementing a range of measures, such as sustainable drainage systems (SuDs) where feasible and the use of water efficient fittings and appliances.
- 8.4 The site is within the Environment Agency's Flood Zone 2/3 indicating a medium to high risk of flooding from the Thames. The proposed scheme includes some alterations to the existing ground floor (although most of this has been already approved under planning permission No.2023/00291/FUL). However, the application site is well protected by flood defences such as the Thames Barrier and local river walls; hence, residual risks are low. As required, a Flood Risk Assessment is submitted with the application, and it sets out a range of mitigation measures that can provide protection in the unlikely event of the site being impacted by flood water.
- 8.5 The Council's Environmental Protection Team have been consulted and state that the FRA is acceptable. However, it is considered that more information on the inclusion of sustainable drainage measures can be included, despite the proposed measures such as green roofs, green walls, and potential for permeable surfaces in courtyard areas and the access road. The inclusion of

the larger green roof areas is a significant addition to the design and further details for these can be secured by condition, including SuDS features to help demonstrate compliance with Policy CC4 of the Local Plan on managing surface water run-off.

### **Sustainability / Climate Change**

- 8.6 Green roofs are supported by London Plan Policy G5 (Urban Greening) which states that they can help to meet other policy requirements and provide a range of benefits including enhanced biodiversity, addressing the urban heat island effect and sustainable drainage.
- 8.7 The scheme is not a major development, so there are no requirements to submit a Sustainability Statement or Energy Assessment to show compliance with local and regional policies on these issues. However, in line with the 'Climate Change' SPD, the Council would still encourage the implementation of sustainability measures such as energy efficiency and carbon curbing measures to address the climate emergency declared by the Council in 2019. In this case, the proposed development incorporates significant measures to minimise greenhouse gas emissions, promote energy use from renewable sources and reduce energy consumption, as well as to promote water efficiency in accordance with London Plan Policy SI 2 and Local Plan Policy CC1.
- 8.8 The proposals would result in an on-site carbon reduction of 35% due to the installation of 88 solar panels, green roofs and walls and upgraded modern fabric to improve heat loss. These measures would be secured by condition.
- 8.9 The proposed scheme is therefore considered acceptable with regards to London Plan Policy SI 2 and G5, as well as Local Plan Policy CC1.

### **Air Quality**

- 8.10 Para. 199 of the NPPF relates to air quality, and states planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan. The 'Air Quality Action Plan 2025 - 2030' was approved and adopted by the Council in December 2024. The development site is within the borough wide Air Quality Management Area (AQMA).
- 8.11 Policy CC10 of the Local Plan specifies that the Council will seek to reduce the potential adverse air quality impacts of new development. Notably by requiring developments to be 'air quality neutral' and resist development proposals which would materially increase exceedances of local air pollutants and have an unacceptable impact on amenity or health unless the development mitigates this impact through physical measures and/or financial contributions to implement proposals in the Council's Local Air Quality Management Plan.

- 8.12 The Council's Air Quality Team were consulted on this application and raised no objection, subject to conditions to secure Zero Emission Heating Plant, Ultra-Low Emissions Strategy, Cargo bike infrastructure, and Electric Vehicles Charging Points.
- 8.12 Subject to these conditions, officers accept the proposed development would comply with Policy CC10 of the Local Plan, London Plan Policy SI 1, and the Council's Air Quality Action Plan.

### **Ecology**

- 8.14 Policy OS5 states that the Council will seek to enhance biodiversity and green infrastructure in the borough by:
- a. maximising the provision of gardens, garden space and soft landscaping, seeking green or brown roofs and other planting as part of new development;
  - b. protecting back, front and side gardens from new development and encouraging planting in both back and front gardens;
  - c. seeking to prevent removal or mutilation of protected trees;
  - d. seeking retention of existing trees and provision of new trees on development sites; and
  - e. adding to the greening of streets and the public realm;
  - f. making Tree Preservation Orders where justified in the interests of amenity.
- 8.15 The applicant has claimed exemption from Biodiversity Net Gain as the proposal would not impact on a priority habitat of less than 25sqm, where the definition of impact is "if the development decreases the biodiversity value of that area". The Council's Ecology Officer has reviewed the application and confirmed that the site does meet the 'de minimis' exemption requirements in this instance; hence no further action is required to improve the biodiversity value of the site.

## **9. COMMUNITY INFRASTRUCTURE LEVY / PLANNING OBLIGATIONS**

### **Mayoral and Borough CIL**

- 9.1 In this case, the proposed development would be liable to pay Community Infrastructure Levy (CIL) at both the mayoral and borough levels. The Mayoral CIL (MCIL2) rates are applicable to all planning permissions granted from 1 April 2019. The Mayor expects the Council, as the collecting authority, to secure the levy in accordance with London Plan Policy DF1. This development would be subject to a London wide community infrastructure levy. This development is liable for an estimated Mayoral CIL of approximately £60,720 (plus indexation).

- 9.2 The Council's Community Infrastructure Levy (CIL) is also a charge levied on the net increase in floorspace arising from development in order to fund infrastructure that is needed to support development in the area. The CIL Charging Schedule formally took effect from 1<sup>st</sup> September 2015. However, in this case, the proposed development is exempt from the Borough CIL, as per the Council's CIL charging schedule.

### **S106 Heads of Terms**

- 9.3 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'.
- 9.4 London Plan Policy DF1 (Delivery of the Plan and Planning Obligations) states that development proposals should provide the infrastructure and meet the other relevant policy requirements necessary to ensure that they are sustainable and to support delivery of the Plan.
- 9.5 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 which are the Community Infrastructure Levy (CIL) and Section 106 Agreements (s106).
- 9.6 The planning obligations set out in the heads of terms below are considered necessary to make the development acceptable in planning terms, they are related to the development and reasonably commensurate the scale and type of development proposed. A Section 106 agreement is therefore required to ensure the proposal is in accordance with the statutory development plan and to secure the necessary infrastructure to mitigate the needs and impacts of the proposed development.
- 9.7 In view of the fact the Section 106 agreement will be the subject of extended negotiations, officers consider that circumstances may arise which may result in the need to make minor modifications to the conditions and obligations (which may include variation, addition, or deletion). Accordingly, the second recommendation has been drafted to authorise the Director of Planning and Property, after consultation with the Assistant Director Legal Services and the Chair of the Planning and Development Control Committee, to authorise the changes they consider necessary and appropriate, within the scope of such delegated authority.

9.8 The applicant is expected to agree to enter into a legal agreement with the Council to which would include the following site-specific items:

1. 10% of the total increase in floorspace (GIA) as affordable workspace for 10 years at 20% discount to Open Market Rental Value (OMRV), and how this is to be managed and run through a Workspace Management Plan
2. Financial contribution of £30,000 towards local employment, training and local businesses including:
  - at least 10% of the total number of people employed on the construction of the development would be local residents,
  - 3 apprenticeships, 3 paid work and 3 unpaid placements
  - at least 20% of the total number of people employed in the end use of the development would be local residents.
  - 10% of the build cost to be spent on businesses based in H&F in the supply chain of the development
  - 10% local labour during construction phase, including an employment and skills plan
- 3 Operational phase; Local Procurement £4,300 to help with local supply chain activity
4. A commitment to sign up to the Council's Upstream Pathway Bond H&F Upstream Pathway Bond | London Borough of Hammersmith & Fulham, a broad menu of opportunities to help businesses play a meaningful role in supporting the local community in which they operate – and to encouraging end-users of the development to do so

## 10. CONCLUSION

10.1 In considering planning applications, the Local Planning Authority needs to consider the development plan as a whole and planning applications that accord with the development plan should be approved without delay, unless material considerations indicate otherwise and any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

10.2 In the assessment of the application regard has been given to the NPPF, London Plan, and Local Plan policies as well as applicable guidance.

10.3 In summary, the proposed development would achieve a sustainable form of development by providing additional employment floorspace and enhancing an existing employment venue for the creative industries which would result in benefits to local economic development. The proposals would be visually acceptable. The scheme is considered to be of a high quality of design which

optimises the capacity of a previously developed land and respects the setting, significance and value of nearby heritage assets (conservation area and listed buildings)

- 10.4 Subject to conditions, the proposed development would not result in unacceptable impacts upon the amenities of neighbouring residential properties. Highways, transportation and environmental matters including energy and sustainability, flood risk, air quality and ecology have also been satisfactorily addressed and will be subject to conditions. In these respects, the proposed scheme complies with the relevant policies of the NPPF (2024), the London Plan (2021), the Local Plan (2018) and the relevant Key Principles within the 'Planning Guidance' (2018), 'Affordable Workspace' (2022) and 'Climate Change' (2023) Supplementary Planning Documents.
- 10.5 Officers have taken account of all the representations received and in overall conclusion for the reasons detailed in this report, it is considered having regard to the development plan as a whole and all other material considerations, that planning permission should be granted subject to the conditions listed and the completion of a s106 agreement.
- 10.6 In line with the Town and Country Planning Act 1990 and the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, officers have consulted the applicant on the pre-commencement conditions included in the agenda and the applicant has raised no objections.

## **11. RECOMMENDATION**

- 11.1 The application is therefore recommended for approval, subject to conditions and the completion of a legal agreement.