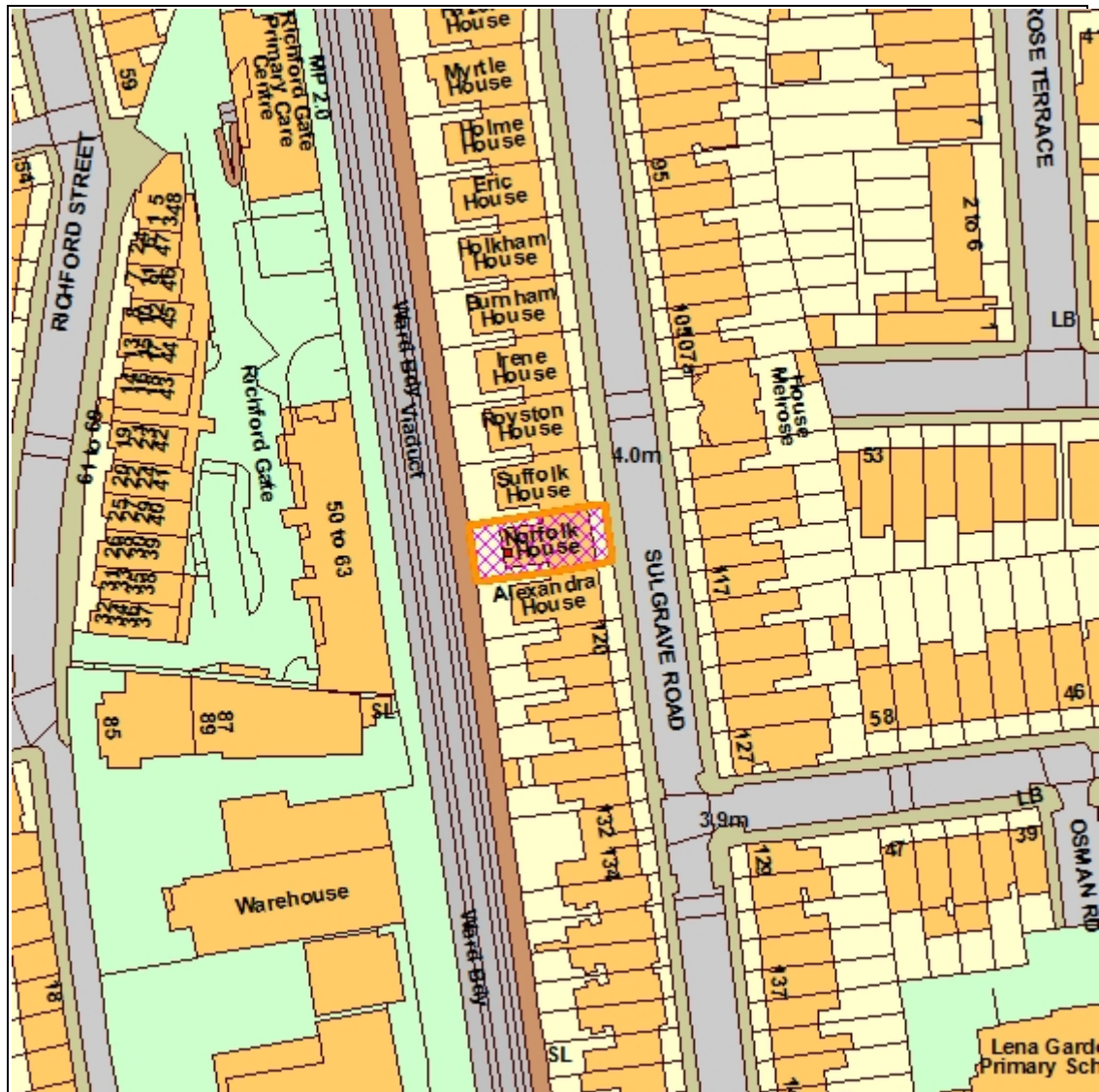

Ward: Addison

Site Address:

Norfolk House Sulgrave Road London W6 7QT



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For identification purposes only - do not scale.

Reg. No:

2023/01255/FUL

Case Officer:

Elliot Brown

Date Valid:

23.05.2023

Conservation Area:

Constraint Name: Melrose Conservation Area -
Number 26

Committee Date:

08.07.2025

Applicant:

Spiritframe Ltd

12 Blacks Road Hammersmith London W6 9EU

Description:

Erection of a rear roof extension involving an increase in the ridge height by 300mm in connection with the creation a new self-contained studio flat; alterations to part of the roof of the back addition to incorporate a flat roof and the erection of privacy screens around the resultant flat roof at third floor level to the rear elevation in connection with its use as a terrace; installation of 2no rooflights in the rear roofslope.

Drg Nos: See Condition 2.

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 conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.

Conditions:

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

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

- 2) The development hereby permitted shall be carried out in complete accordance with the approved plans and drawings listed in this decision notice, other than where those details are altered pursuant to the conditions of this planning permission:

2534-P01 REV A (dated 22.05.2023); 2534-P02 REV C (dated 10.10.2023, received 21.11.2023); 2534-P03 REV A (dated 22.05.2023); 2534-P04 REV A (dated 22.05.2023); Sound Insulation Specification (Ref. TB0205233SI, REV 0.0, dated 16.05.2023 & received 26.09.2023) prepared by PEAK Acoustics; Tree

Protection Statement (received 09.08.2023).

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

- 3) The development hereby approved shall be carried out and completed in accordance with the materials details (including colour and finish) specified below:
- External finish to rear roof extension: Natural grey slate tiles.
 - The party/flank walls of the rear roof extension: Constructed from brick to match the existing building in terms of colour, range, texture and pointing.
 - Rear dormer projection: Clad in lead.
 - Terrace Screening: Obscure-glass with a minimum obscurity equivalent to Pilkington Texture Glass Level 3.

The development shall be permanently retained in accordance with the approved details. Any works of making good to existing elevations shall be carried out in materials to match the elevation to which the works relate.

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

- 4) The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground), have been submitted to and approved in writing by the local planning authority which:
- Provide construction details on the rear roof extension;
 - Provide details on the use of tall plant, scaffolding and lifting equipment;
 - Accommodate the location of the existing London Underground structures - the property is adjacent to the open section of TfL's operational railway. To ensure safety of TfL's railway from debris falling during construction or things being thrown post construction, any opening windows, balconies or terraces facing the railway elevation will require prior approval from LU Engineers and mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with the London Plan 2021, draft London

- 5) Prior to occupation of the development hereby approved, details (including manufacturer specification, installation/commissioning certificates, gas supply/meter site clear certificate, and photographic confirmation) of the installed Air Source Heat Pump (ASHP), Heat Battery Boiler, Electric Boiler or alternative electrical only heating systems to be provided for space heating and hot water for the self-contained dwellinghouse (Use Class C3) 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 order to reduce carbon-based gas connections and to safeguard local air quality in the councils boroughwide air quality management area, in accordance with Policies CC1 and CC10 of the Local Plan (2018) and the councils Air Quality Action Plan.

- 6) The terrace hereby approved shall not be first used until the privacy screening has been installed as shown on approved drawing nos. 2534-P01 REV A (dated 22.05.2023), 2534-P02 REV C (dated 10.10.2023, received 21.11.2023), 2534-P03 REV A (dated 22.05.2023) and 2534-P04 REV A (dated 22.05.2023). The privacy screening shall achieve a minimum level of obscurity equivalent to Pilkington Texture Glass Level 3 and shall have a height of 1.7m above the finished floor level of the terrace along the flank elevations of the terrace hereby approved. The privacy screening to the rear elevation of the terrace shall have a height of 1.7m above the finished floor level of the terrace hereby approved. The privacy screening shall thereafter be permanently retained as approved.

To protect the amenities of neighbouring occupiers in terms of overlooking and privacy in accordance with Policy HO11 of the Local Plan (2018).

- 7) Other than the area shown as a terrace on the approved plans no part of the remainder of the roof atop of the existing back addition or atop the rear roof extension hereby approved shall be converted into or used as a terrace or other open amenity space. No alterations shall be carried out; nor planters or other chattels placed on the remaining roof. No railings or other means of enclosure shall be erected around the remaining roof and no alterations shall be carried out to the property to form an access onto this roof.

Such a use would be detrimental to the amenities of neighbouring properties by reason of overlooking and loss of privacy and potential noise and disturbance, contrary to Policies CC11 and HO11 of the Local Plan (2018).

- 8) The refuse, recycling and bicycle storage shall be installed in accordance with the details on approved drawing Nos. 2534-P01 REV A (dated 22.05.2023) and 2534-P02 REV C (dated 10.10.2023, received 21.11.2023) prior to occupation of the self-contained residential unit hereby approved. The refuse, recycling and bicycle

storage shall thereafter be permanently maintained for the lifetime of the development.

To ensure a satisfactory provision of refuse, recycling and bicycle storage, in accordance with Policy T5 of the London Plan (2021) and Policy CC7 of the Local Plan (2018).

- 9) In line with achieving an enhanced sound insulation value $D_{nT,w}$ and $L_{nT,w}$ of at least 5dB above the Building Regulations value, for the floor/ceiling/wall structures/external terrace areas ($L_{nT,w}$) separating different types of rooms/ uses in adjoining dwellings, the specifications and recommendations within the Sound Insulation Specification (Ref. TB0205233SI, REV 0.0, dated 16.05.2023 and received 26.09.2023) prepared by Peak Acoustics shall be fully implemented prior to occupation of the development hereby approved and thereafter be permanently retained as such.

To ensure that the amenity of occupiers of the development site is not adversely affected by noise, in accordance with Policy D14 of the London Plan (2021) and Policies CC11 and CC13 of the Local Plan (2018).

- 10) The development hereby approved shall be carried out in accordance with the tree protection measures specified within the approved Tree Protection Statement (received 09.08.2023) and in accordance with British Standard BS3998:2010. The temporary tree protection fencing shall be erected in accordance with the approved Tree Protection Statement (received 09.08.2023) prior to the commencement of construction works, and shall be retained for the duration of the construction works, after which it shall be removed.

To preserve the health and visual amenity of the existing trees, in accordance with Policies DC8 and OS5 of the Local Plan (2018).

- 11) The rear roof lights hereby approved shall be conservation style roof lights and thereafter permanently retained in this form.

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

- 12) No water tanks or water tank enclosures shall be erected upon the remainder of the roof atop of the existing back addition or atop the roof of the rear roof extension hereby permitted.

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

- 13) Prior to occupation of the development hereby permitted, details (including manufacturer specification, installation/commissioning certificates, gas

supply/meter site clear certificate, and photographic confirmation) of the installed electric induction cooking appliance in the kitchen of the self-contained dwellinghouse (Use Class C3) 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 order to reduce carbon-based gas connections and to ensure adequate levels of indoor air quality in the councils boroughwide air quality management area, in accordance with Policy CC10 of the Local Plan (2018) and the councils Air Quality Action Plan.

- 14) Prior to occupation of the development hereby permitted, details (including manufacturer specification, installation/commissioning certificates and photographic confirmation) of the installed Waste Water Heat Recovery System (WWHRS) for the self-contained dwellinghouse (Use Class C3) 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 order to increase energy efficiency in domestic buildings and to safeguard local air quality in the councils boroughwide air quality management area, in accordance with Local Plan Policies CC1 and CC10 and the councils Air Quality Action Plan.

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

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

Justification for Approving the Application:

- 1) The proposal would result in the net-gain of one residential unit, contributing towards the Borough's housing targets, whilst ensuring a satisfactory standard of accommodation for future occupants. Furthermore, the proposed alterations to the parent building would be of an acceptable appearance and would preserve the character and appearance of the Melrose Conservation Area and the nearby Hammersmith Grove Conservation Area. The proposal would mitigate against unduly detrimental harm to the amenity of neighbouring occupants, as well as

trees, highways/parking and flood risk. In these respects, the proposal would be compliant with Sections 5, 12 and 16 of the National Planning Policy Framework (2023), Policies D6, D12, D14, H1, HC1 and T5 of the London Plan (2021), Policies CC3, CC7, CC10, CC11, CC13, DC1, DC4, DC8, HO1, HO4, HO11, OS5, T1, T3 and T4 of the Local Plan (2018) and Key Principles CAG3, HS6, HS7, HS8 and NN3 of the Planning Guidance Supplementary Planning Document (2018).

LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

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

Application form received: 16th May 2023
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

Consultation Comments:

Comments from:

Transport For London - Land Use Planning Team
London Underground Limited
Thames Water - Development Control
Crime Prevention Design Advisor - Hammersmith

Dated:

07.06.23
05.06.23
25.05.23
31.05.23

Neighbour Comments:

Letters from:

LRJ Planning, Pen-y-Rhiw Redbrook Road NP20 5AB
3 Norfolk House Sulgrave Road London W6 7QT
3 Norfolk House Sulgrave Road London W6 7QT

Dated:

12.06.23
18.06.23
18.06.23

COMMITTEE REPORT

1.0 SITE DESCRIPTION

- 1.1 On the eastern side of Sulgrave Road is a row of twelve three-storey, double bay fronted, Victorian residential buildings. The names of these twelve buildings going from south to north are as follows: Alexandra House, Norfolk House, Suffolk House, Royston House, Irene House, Burnham House, Holkham House, Eric House, Holme House, Myrtle House, Hazel House and Percy House. The properties are all purpose built as flats.
- 1.2 The current application relates specifically to Norfolk House, which accommodates a total of six flats, two per floor. Norfolk House is not a Listed Building or a locally listed Building of Merit, although it is situated within the Melrose Conservation Area.
- 1.3 The application site lies within the Environment Agency's Flood Risk Zones 2 and 3.
- 1.4 The application site has a Public Transport Accessibility Level (PTAL) of 6a (excellent).

2.0 RELEVANT PLANNING HISTORY

- 2.1 Officers highlight that there is extensive planning history for the buildings referred to in paragraph 1.1 of this delegated report, as outlined below.

2007/00434/FUL - Erection of a rear roof extension on each building (Percy House / Hazel House / Myrtle House / Holme House / Eric House / Holkham House / Burnham House / Irene House / Royston House / Suffolk House / Norfolk House), including an increase in the existing ridge height in each case by up to a maximum of 300mm. The application was granted planning permission on 10.04.2007.

2015/05734/FUL - Erection of rear roof extensions, erection of rear extensions at third floor level over part of the existing back additions in connection with the creation of self-contained studio flats and the formation of roof terraces at third floor level on top of each property: Hazel House, Myrtle House, Holme House, Holkham House, Burnham House, Royston House, Suffolk House and Norfolk House. The application was refused planning permission on 18.07.2016, for the following reasons:

- 1) Excessive density/over development; 2) Inadequate cycle and refuse storage; 3) Unneighbourly development; 4) Visual amenity; 5) noise disturbance resulting from the high-level roof terraces; and 6) Absence of sustainable drainage and impact on flooding.

The subsequent appeal (appeal ref. APP/H5390/W/16/3160276) was dismissed on 27.01.2017 solely on grounds of design and character and appearance (Reason for refusal 4). All other reasons for refusal were not upheld by the Planning Inspector.

2.2 In addition to the joint planning history above, there is also planning history relating to individual buildings, as outlined below.

+ Irene House

2014/02692/FUL - Erection of a rear roof extension, involving an increase in the ridge height by 300mm; installation of two rooflights in the front roofslope. The application was granted planning permission on 04.08.2014.

+ Percy House

2015/00344/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm including the raising of the party walls and chimney stack and formation of a roof terrace (Amendments to previously approved planning permission ref: 2013/01607/FUL). The application was granted planning permission on 25.06.2015.

+ Eric House

2015/04272/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm including the raising of the party walls and chimney stack and formation of a roof terrace (Amendments to previously approved planning permission ref: 2013/01607/FUL). The application was granted planning permission on 25.06.2015.

+ Holkham House

2017/03247/FUL - Erection of a rear roof extension; erection of a rear extension at third floor level over part of the existing back addition; alterations to part of the roof of back addition to incorporate a flat roof and the erection of privacy screen around the flat roof at third floor level to the rear elevation in connection with its use as a terrace. The application was granted planning permission on 17.11.2017.

+ Hazel House

2018/01617/FUL: Erection of a rear roof extension involving an increase in the ridge height by 300mm, in connection with the formation of 1no. self-contained studio flat; removal of part of the pitched roof of the back addition at third floor level to form a roof terrace enclosed with a 1700mm high obscured glazed screen atop part of the back addition; installation of French doors to the rear elevation at third floor level in order to allow access to the proposed roof terrace. The application was refused planning permission on 14.09.2018, for the following reasons:

- 1) Insufficient quality of residential accommodation. Notably, the proposal failed to meet the minimum finished floor to ceiling height standards of the London Plan (2016) and the Nationally Described Space Standards (2015), and the internal stacking arrangement meant that the amenity of occupiers would be adversely

affected by noise and vibration.

2019/00670/FUL - Erection of a rear roof extension involving an increase in the ridge height by 393mm in connection with the creation of 1 x self-contained studio flat; alterations to part of the roof of back addition to incorporate a flat roof and the erection of privacy screen around the flat roof at third floor level to the rear elevation in connection with its use as a terrace. The application was refused planning permission on 01.05.2019, for the following reasons:

- 1) Visual amenity: excessive increase in ridge height (393mm) including a step, and an almost vertical rear roof slope (83 degrees) would be out of keeping with the prevailing pattern of development established throughout the terrace, and would harm the character and appearance of the Melrose Conservation Area; and
- 2) Substandard living environment: noise and vibration due to non-uniform room stacking.

The subsequent appeal (appeal ref. APP/H5390/W/19/3235745) was dismissed on 20.12.2019 solely on grounds of design and character and appearance.

2020/00806/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm in connection with the creation of a self-contained studio flat; alterations to the roof of back addition to incorporate a flat roof and the erection of privacy screen around the flat roof at third floor level to the rear elevation in connection with its use as a terrace. The application was refused planning permission on 02.07.2020, for the following reasons:

- 1) Visual amenity: steep rear roof slope (75 degrees) would be out of keeping with the prevailing pattern of development established throughout the terrace, and would harm the character and appearance of the Melrose Conservation Area;
- 2) Substandard living environment: failure to meet minimum floor space and floor to ceiling height standards; and
- 3) Inadequate cycle parking: located on land not within ownership of applicant.

2020/02012/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm in connection with the creation of a self-contained studio flat; alterations to the roof of back addition to incorporate a flat roof and the erection of privacy screen around the flat roof at third floor level to the rear elevation in connection with its use as a terrace. The application was refused planning permission on 13.11.2020, for the following reasons:

- 1) Substandard living environment: failure to meet minimum floor space and floor to ceiling height standards;
- 2) Impact to character of conservation area: intensification and overdevelopment of the site; and impact to residential amenity;
- 3) Inadequate cycle parking and refuse storage: cycle parking located in an area which the applicant does not have sole access to, and insufficient space to accommodate additional bins; and
- 4) Impact to residential amenity: noise and vibration due to non-uniform room

stacking and inadequate sound insulation.

The subsequent appeal (appeal ref. APP/H5390/W/20/3263632) was allowed on 14.06.2021.

+ Holme House

2021/03992/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm in connection with the creation a new self-contained studio flat; alterations to part of the roof of the back addition to incorporate a flat roof and the erection of privacy screens around the resultant flat roof at third floor level to the rear elevation in connection with its use as a terrace. The application was granted planning permission on 11.02.2022.

+ Myrtle House

2022/00833/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm in connection with the creation a new self-contained studio flat; alterations to part of the roof of the back addition to incorporate a flat roof and the erection of privacy screens around the resultant flat roof at third floor level to the rear elevation in connection with its use as a terrace. The application was granted planning permission on 07.07.2022.

+ Burnham House

2024/00254/FUL - Erection of a rear roof extension involving an increase in the ridge height by 300mm, in connection with the creation a new self-contained studio flat; alterations to part of the roof of the back addition to incorporate a flat roof and the erection of 1.7m high obscure glazed privacy screening around the resultant flat roof at third floor level to the rear elevation, in connection with its use as a terrace. The application was resolved to be granted planning permission at Planning Committee on 04.03.2025.

3.0 PROPOSAL

3.1 The current application seeks planning permission for the erection of a rear roof extension involving an increase in the ridge height by 300mm in connection with the creation a new self-contained studio flat; alterations to part of the roof of the back addition to incorporate a flat roof and the erection of privacy screens around the resultant flat roof at third floor level to the rear elevation in connection with its use as a terrace; installation of 2no rooflights in the rear roofslope.

4.0 CONSULTATIONS

Neighbouring responses

4.1 29 surrounding properties were notified of the proposal via letter.

4.2 A site notice and a press notice were displayed/published.

4.3 Three representations have been received, which object to the proposal on the following grounds:

- The proposal will have a harmful impact upon the character, appearance and aesthetic of Norfolk House, as well as the Melrose Conservation Area. It is considered that the property does not have capacity for such substantial alterations, and the absence of a heritage impact assessment is concerning;
- The proposal will have a harmful impact upon the amenity of neighbouring occupants (including noise and disturbance from the proposed roof terrace, light pollution from lighting of the roof terrace and the additional fenestration at this level, and odour from cooking associated with the proposed residential unit/terrace area);
- Sulgrave Road is already very busy from a parking perspective, and so the proposal would harmfully exacerbate existing levels of parking stress within the immediate locality of the application site;
- The proposed location of cycle storage at ground-floor level is not considered to be suitable; one resident has already been refused permission to store their bicycle in this space due to health and safety concerns;
- The proposal would not result in biodiversity enhancements, and no ecological survey has been submitted as part of the current planning application;
- The proposal raises fire safety concerns, particularly with regard to insufficient fire escape measures for the site;
- There are concerns that the proposed studio unit could be used as short-term holiday/Air BnB letting;
- The proposal would be contrary to the original lease, which states that 'lessee's shall and may peaceably and quietly hold and enjoy the premises during the said term without any interruption by the lessors or any person claiming through, under or in trust for the lessors'; any building work would be in contravention to the leases;
- The proposal will expose neighbouring occupants to harmful levels of noise and disturbance associated with construction works, and the property would be visually ruined for the duration of works;
- Norfolk House is an old building and is already at capacity with regard to resident's strain on amenities/utilities. For example, there have been several issues with plumbing and pipe work in the building. The proposal will add further strain to this;
- The proposal is considered to set a harmful precedent for similar development in future;
- The proposal raises significant concerns regarding the structural stability/foundations of the parent building;

- The proposal should be refused, as has happened to previous applications;
- The proposal will have a negative impact upon property values for other flats within the building.

4.4 Officer response:

- The material planning considerations (including but not limited to visual amenity/impact upon heritage assets, neighbouring amenity and highways) raised will be assessed in the 'planning considerations' section of this delegated report;
- Issues relating to the wording of the original lease would not prevent the Council from issuing planning permission, however officers note that the applicant's compliance with the lease would be a civil matter for them to comply with;
- Concerns relating to the structural stability, foundations and matters such as sewerage of the building would fall under Building Regulations, rather than planning legislation. Accordingly, these concerns would fall outside the scope of planning;
- Officers are sympathetic to concerns relating to noise and disturbance associated with construction works. Nevertheless, these matters would fall under Environmental Health legislation, rather than planning legislation. Accordingly, these concerns would fall outside the scope of planning. Officers advise that any breaches of Environmental Health legislation can be reported to the Council's Environmental Health team to investigate;
- The proposal seeks to create one new self-contained residential unit, and no reference to short term holiday/Air BnB letting is indicated by the submitted documentation. The Council can only assess the proposal before them in this respect;
- A proposal's potential impact upon property prices is not a material planning consideration;
- Each planning application is assessed on its own individual merits.

External consultee responses:

4.5 Metropolitan Police (Design out Crime) - No comments/objection.

4.6 Thames Water - No comments/objections.

4.7 TfL Infrastructure Protection - No objection, subject to a pre-commencement condition relating to a detailed design and method statement (in consultation with London Underground).

4.8 TfL Spatial Planning - No objection.

4.9 Officer response:

- The applicant has agreed in writing to the imposition of the requested pre-commencement condition from TfL.

5.0 POLICY FRAMEWORK

- 5.1 The Town and Country Planning Act 1990, the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011 are the principal statutory considerations for town planning in England.
- 5.2 Collectively the three Acts create a plan led system which requires local planning authorities to determine planning applications in accordance with an adopted statutory development plan unless there are material considerations which indicate otherwise (section 38(6) of the 2004 Act as amended by the Localism Act).
- 5.3 In this instance the statutory development plan comprises the London Plan (2021) and the Local Plan (2018). A number of strategic and local supplementary planning guidance and other documents are also material to the determination of the application.

+ National Planning Policy Framework (December 2024)

- 5.4 The National Planning Policy Framework (NPPF) came into effect on 27 March 2012 and was revised in 2024 and is a material consideration in planning decisions. The NPPF, as supported by the Planning Practice Guidance (PPG) sets out national planning policies and how these are expected to be applied.
- 5.5 The NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

+ London Plan

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

+ Local Plan

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

London Plan

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

Local Plan

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

6.0 PLANNING CONSIDERATIONS

- 6.1 Officers consider that the proposal raises the following material planning considerations:

- Principle of land use and housing supply;
- Quality of the proposed residential accommodation;
- Design and heritage;
- Impact upon neighbouring amenity;
- Highways/parking and refuse/recycling;
- Flood risk;
- Air quality;
- Fire safety;
- Biodiversity Net Gain;
- Trees.

PRINCIPLE OF LAND USE AND HOUSING SUPPLY

- 6.2 Norfolk House currently contains six self-contained residential units. The proposal would result in the net-gain of one residential unit, and accordingly, would be compatible with the existing land use.
- 6.3 The provision of housing is a significant issue, with paragraph 60 of the National Planning Policy Framework (NPPF, 2024) outlining that local planning authorities should seek to significantly boost the supply of housing. This need for housing is

recognised within Policy H1 of the London Plan (2021), with Table 4.1 of this Policy outlining that a minimum of 1,609 new residential dwellings should be provided per year within the Borough of Hammersmith and Fulham up to 2031. Policy HO1 of the Local Plan (2018) specifies that the Borough of Hammersmith and Fulham will continue to seek at least 1,031 additional dwellings a year in the period up to 2035.

- 6.4 The proposal would result in the net-gain of one self-contained dwelling, which would contribute towards the Borough's housing supply targets. Accordingly, the provision of residential accommodation would be considered acceptable in principle, consistent with Paragraph 60 of the NPPF (2024), Policy H1, Table 4.1 of the London Plan (2021) and Policy HO1 of the Local Plan (2018)

QUALITY OF THE PROPOSED RESIDENTIAL ACCOMMODATION

- 6.5 Policy D6 of the London Plan (2021) places a significant focus on internal space standards for dwellings, and seeks to ensure that all new housing are of a high quality design and provide adequately sized rooms with comfortable and functional layouts which are fit for purpose and offer the potential to be occupied over time by households of all tenures.
- 6.6 The Nationally Described Space Standards (NDSS) is also relevant with regard to internal space standards.
- 6.7 Policies HO4 and HO11 of the Local Plan (2018) requires all housing to provide a high-quality residential environment and be well designed internally and externally.

+ Internal space standards (unit size and finished floor to ceiling height)

- 6.8 The proposal would involve the creation of new residential floorspace, and accordingly officers consider that the proposed residential unit should be assessed against the unit sizes outlined within Policy D6 of the London Plan (2021) and the NDSS (2015).
- 6.9 The proposed residential unit would be in the form of a 1-person open plan studio unit. Policy D6 of the London Plan (2021) and the NDSS (2015) requires a 1-person residential unit to have a minimum gross internal area (GIA) of 37sqm, including at least 1sqm of built-in storage space. Furthermore, the NDSS (2015) requires a minimum finished floor to ceiling height of 2.3m for at least 75% of the GIA of the proposed residential unit. To address the unique heat island effect of London and the distinct density and flatted nature of most of its residential development, Policy D6 of the London Plan (2021) requires a minimum finished floor to ceiling height of 2.5m for at least 75% of the GIA of the proposed residential unit.
- 6.10 As specified within the 'existing and proposed uses' section of the submitted application form and as measured on the submitted floor plans, the proposed residential unit would measure 37sqm, including 1sqm of built-in storage space. Whilst officers acknowledge that the 2.3m finished floor to ceiling height does not meet the 2.5m requirement of Policy D6 of the London Plan (2021), the Mayor's Housing Supplementary Planning Guidance does state that 'failure to meet one

standard would not necessarily lead to an issue of compliance with the London Plan, but a combination of failures would cause concern'.

- 6.11 In this case, the proposed residential studio unit has sufficient floorspace and would be appropriately arranged with a single multifunctional space to enable it to be used as flexibly as possible. Together with the compliance with other residential standards in respect of light, outlook and private amenity space (discussed below), the proposal is considered to provide an acceptable internal and external residential environment for a studio flat, in line with the objectives of the above policies.
- 6.12 Furthermore, officers highlight that a similar application at Hazel House, Sulgrave Road (application ref. 2020/02012/FUL) was allowed on appeal by the Planning Inspectorate. In Paragraph 9 of that Appeal Decision (dated 14 June 2021), the Planning Inspector stated, in reference to that scheme providing a 2.3m finished floor to ceiling height rather than a 2.5m finished floor to ceiling height, that 'while the floor to ceiling height would be 20cm lower than the minimum standard, the living accommodation would still feel spacious, light and airy to its occupiers. As such, I am unable to share the concerns of the Council and several objectors that the proposed accommodation would feel cramped or too confined'. Subsequently, the Planning Committee also resolved to grant planning permission for an identical scheme at Burnham House (ref. 2024/00254/FUL) under the 04.03.2025 Planning Committee. On this basis, withholding planning permission on the failure to meet the 2.5m finished floor to ceiling height alone would not be considered justifiable.

+ Light, outlook and privacy

- 6.13 Policy HO4 of the Local Plan (2018) specifies that new housing should provide a high-quality residential environment and be well designed internally and externally. Policy HO11 of the Local Plan (2018) specifies that the Council will ensure that the design and quality of all new housing, including new build, conversions and change of use, is of a high standard that meets the needs of future occupants. Outlook and light will be important considerations in relation to this.
- 6.14 The levels of light and outlook the proposed studio would receive is considered acceptable. Whilst single aspect, the studio fenestration would be at roof level, facing east and covering a large proportion of the rear elevation of the roof extension. In terms of privacy, no properties are located to the rear of Burnham House to overlook the proposed studio (as the rear elevation faces onto railway lines). The proposed roof terrace would be enclosed by 1700mm obscure glazed screens to the sides which would prevent overlooking of the private space from neighbouring properties.

+ External amenity space

- 6.15 Policy D6 of the London Plan (2021) outlines that where there are no higher local standards in the borough development plan documents, a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings, and an extra 1sqm should be provided for each additional occupant. Key Principle HS1 of the Planning Guidance SPD (2018) specifies that all new dwellings should have access to an area of amenity space, appropriate to the type of housing being provided.

6.16 The proposed development would involve the removal of part of the pitched roof of the back addition to form a roof terrace enclosed by 1700mm high obscure glazed screens to the sides. The roof terrace would be accessible to the flat through French doors to the rear elevation of the rear roof extension. The proposed roof terrace (9.6sqm, as measured on the proposed floor plan) would be in excess of the minimum 5sqm requirement specified by Policy D6 of the London Plan (2021). As such, it is considered that the proposed development would provide sufficient external amenity space for future occupants of the proposed residential unit. The use of the roof terrace and the impact on residential amenity is considered later in the report.

+ Noise

6.17 Policy CC11 (b) of the Local Plan (2018) specifies that housing, schools, nurseries, hospitals and other noise sensitive development will not normally be permitted where the occupants/users would be affected adversely by noise, both internally and externally, from existing or proposed noise generating uses.

6.18 The Council's Environmental Protection team have reviewed the proposal, and they have highlighted that due to the proximity of the application site to the Hammersmith and City Tube line to the rear of the site, a pre-commencement condition relating to a noise assessment (including reflected and re-radiated noise) would be considered necessary to ensure that future occupants of the proposed residential unit. The applicant has agreed to the imposition of this condition in writing, and accordingly officers are satisfied that the proposal could mitigate against future occupants from being exposed to harmful levels of noise and disturbance, in accordance with Policy CC11 of the Local Plan (2018).

6.19 Officers note that the proposal's potential impact on the levels of noise and disturbance neighbouring occupants would be exposed to will be assessed in the 'impact upon neighbouring amenity' section of this committee report.

DESIGN AND HERITAGE

6.20 Paragraphs 135 and 139 of the National Planning Policy Framework (NPPF, 2024) specify that development should be visually attractive as a result of good architecture and be sympathetic to local character and history and permission should be refused for development that is not well designed.

6.21 Paragraph 212 of the NPPF (2024) specifies that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 215 of the NPPF (2024) sets out that where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.

6.22 Policy HC1 of the London Plan (2021) specifies that development proposals

affecting heritage assets and their settings should conserve their significance, by being sympathetic to the asset's significance and appreciation within their surroundings. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.

- 6.23 Policy DC1 of the Hammersmith and Fulham Local Plan (2018) notes that all development should seek to create a high-quality urban environment which respects and enhances its townscape setting, whilst Policy DC4 notes that all alterations and extensions to existing buildings should be a subservient addition to the parent building and compatible with the scale and character of existing development, neighbouring properties and their settings. Policy DC8 specifies that applications affecting designated heritage assets will only be permitted if the significance of the heritage asset is preserved and/or enhanced.
- 6.24 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that: 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'
- 6.25 The application site is situated within the Melrose conservation area, and the site does not contain a Listed Building or a locally listed Building of Merit. The significance of the Melrose conservation area, is largely owing to its rapid development and evolution during the late 1800s to form a series of residential terraces. Paragraph 6.9 of the Melrose conservation area character profile (CACP) outlines that the design of any rear roof extension should be sympathetic to the character of the conservation area. Where they are visible from the street, including long views, then particular attention will need to be paid to their appearance.
- 6.26 Rear main roof extensions are a common and established form of development to this type of property not only within this terrace, but also within the Melrose conservation area and the wider borough. The proposal would increase the ridge height of the main roof by 300mm, and introduce a mansard style roof, with a flat roofed element and rear roof slope of 70 degrees. The extension would also introduce a centralised flat roofed element incorporating windows and a door providing access to a rear roof terrace. This would be consistent with rear roof extensions approved and built within the subject terrace at Irene House (Ref.2014/02692/FUL), Eric House (Ref.2015/04272/FUL), Percy House (Ref.2015/00344/FUL) and Holkham House (Ref.2017/03247/FUL), as well as with the rear roof extension recently allowed on appeal at Hazel House (Ref. 2020/02012/FUL) and that subsequently granted planning permissions at Holme House (Ref: 2021/03992/FUL) and Myrtle House (Ref. 2022/00833/FUL). On this basis the proposed roof extension would be in-keeping with the character and appearance of the application building and the subject terrace.
- 6.27 The proposed roof terrace, on top of the back addition, would be limited in area to 9.6sqm (as measured via the submitted drawings) and would be similar in appearance, to terraces/ glazed screens which already exist in the terrace at Percy House, Eric House and Holkham House, as well as to the terraces recently allowed at Hazel House, Holme House and Myrtle House (references quoted

above).

- 6.28 Given the limited extent of visibility of the proposals, and limited impact upon the street environment of Sulgrave Road; coupled with the established principle of such development within this terrace, the development is not considered to result in any harm to the conservation area. The proposals would preserve the character and appearance of the property, the subject terrace and the Melrose Conservation Area. The proposed development would also not have any adverse impacts upon the setting of Hammersmith Grove conservation area to the west of the site, as the rear elevation and roofscape of the application property is not prominent or visible in extensive views within the adjacent conservation area.
- 6.29 In view of the above, the design and appearance of the proposals at roof level are considered acceptable. The proposals are in keeping with character and appearance of the subject building and the terrace of which it forms a part of, and would not harm the character or significance of the Melrose conservation area, or the setting of the Hammersmith Grove conservation area. Materials are secured by a condition.
- 6.30 Furthermore, officers highlight that a similar application at Hazel House, Sulgrave Road (application ref. 2020/02012/FUL) was allowed on appeal by the Planning Inspectorate. In Paragraph 19 of that Appeal Decision (dated 14 June 2021), the Planning Inspector stated, with regard to the design of the proposal and its impact upon the character and appearance of the Melrose Conservation Area, that 'To my mind, the proposal would not necessarily manifest itself significantly differently than the existing residential use of Hazel House insofar as the character and appearance of the local area is concerned. The proposed roof alterations are modest in scale and acceptable in visual terms, and also in keeping with the character and appearance of the host property. As such, Hazel House and the terrace of which it forms part would continue to add to the significance of the CA as a heritage asset. Consequently, the character and appearance of the CA would be preserved'. Officers also highlight that the Planning Committee resolved to grant planning permission for an identical scheme at Burnham House (ref. 2024/00254/FUL) at the 04.03.2025 Planning Committee.
- 6.31 Officers have assessed the impact of the proposal on the heritage assets and consider that it is compliant with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal is also in line with national guidance in the NPPF (2024) and strategic local policies on the historic environment and urban design.
- 6.32 The proposed development is also considered acceptable in accordance with Sections 12 and 16 of the NPPF (2024), Policy HC1 of the London Plan (2021) and Policies DC1, DC4 and DC8 of the Local Plan (2018).

IMPACT UPON NEIGHBOURING AMENITY

- 6.33 Policy HO11 of the Local Plan (2018) specifies that any proposal should ensure an acceptable impact upon the amenity of neighbouring residential occupants, especially with regard to outlook, privacy, daylight/sunlight and a sense of enclosure.

6.34 Key Principles HS6, HS7 and HS8 of the Planning Guidance SPD (2018) provide guidance on how proposals should mitigate against detrimental harm to the amenity of neighbouring occupants, in regards to a loss of outlook, privacy and noise levels.

6.35 In this case the key considerations are the impact to the flats within Norfolk House below, and to the flats within the adjoining mansion blocks of Alexandra House and Suffolk House. No residential properties would be located directly to the rear of the proposed development.

+ Daylight and Sunlight

6.36 The proposed development would not result in undue harm to daylight/sunlight levels. Notably, the bulk of the proposed development would be contained within the main roof of the parent building, and the proposed terrace screening would consist of obscured glass, which would still allow light through to neighbouring properties. Overall, the proposal would not be considered detrimental to the amenity of neighbouring occupants, with regard to outlook, light and a sense of enclosure.

+ Outlook

6.37 The proposed development would not result in undue harm to outlook. No residential properties would be located directly to the rear of the proposed development, with the Hammersmith and City Tube line beyond the rear boundary of the application site. Furthermore, because the bulk of the rear roof extension would be contained to the main rear roof slope of the parent building and would not extend over the existing back addition, this element of the proposal would not be visible from the existing windows serving the existing six residential units within Norfolk House, and would not result in detrimental harm to the amenity of neighbouring occupants when viewed from the back addition windows serving Alexandra House and Suffolk House.

6.38 The proposed screens on top of the back addition, serving the terrace, would be no higher than the existing ridge height of the back addition, would have a modest projection, and would be set back by over 1m from either side elevation. Together with the lightweight and largely transparent material, it is not considered the screens would cause undue harm to outlook to the windows contained within the main building and back additions of both Alexandra House and Suffolk House either side of the subject building, in accordance with Key Principle HS7 of the Planning Guidance SPD (2018).

+ Privacy

6.39 Key Principle HS7 (iii) of the Planning Guidance SPD (2018) specifies that any new windows should be positioned at least 18m away from existing habitable room windows, 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.

- 6.40 The proposed development would not result in undue harm. The newly created fenestration would face the railway line to the rear of the site. The proposed terrace would be enclosed by 1.7m high obscure glazed privacy screens to the sides and as such no views would be afforded into the windows of the properties located either side of the subject building (Alexandra House and Suffolk House). The glazing specification is secured by a condition.

+ Noise

- 6.41 Policy D14 of the London Plan (2021) outlines that in order to reduce, manage and mitigate noise, residential and other non-aviation development proposals should manage noise by, amongst other measures, mitigating and minimising the existing and potential adverse impacts of new development.
- 6.42 Policies CC11 and CC13 of the Local Plan (2018) specify that all proposed development will be required to demonstrate that there will be no undue detriment to the general amenities enjoyed by existing surrounding occupiers as a result of nuisances (including noise).
- 6.43 Key Principle NN3 of the Planning Guidance SPD (2018) states that in the design of new residential dwellings (including change of use and conversions), careful consideration should be given to stacking and layout of rooms in relation to adjoining walls, floors and ceilings. To ensure the amenity of occupiers is not adversely affected by noise, the council expects all parts of adjoining dwellings to enhance the sound insulation, including where the adjoining room is of a similar use.
- 6.44 The proposed residential studio unit would sit above the existing habitable rooms of Flats 5 and 6, which occupy the second-floor level of Norfolk House. There is therefore potential for noise transmission between both the new and the existing flats.
- 6.45 Officers highlight that planning permission was refused at Hazel House (Ref. 2020/02012/FUL) for a similar scheme on grounds relating to noise transmission, however this was not supported by the Inspector during the subsequent appeal. In determining the appeal, the Inspector considered the supporting acoustic report and concluded in Paragraph 16 that 'with a suitable condition in place to secure appropriate insulation, as proposed, I conclude that the proposal would not materially harm the living conditions of existing or future occupiers with regard to noise, vibration or general disturbance'.
- 6.46 Separately, as part of the Hazel House Appeal, the Inspector acknowledged that there would be some additional activity associated with an extra resident, such as the general coming and going of people and their visitors to the property. However, the Inspector stated in Paragraph 15 of the Appeal decision that, 'there is no convincing evidence that the additional noise and general disturbance associated with these movements would be so great as to materially harm the living conditions of others'.
- 6.47 The Council's Environmental Protection team have been consulted on the current

planning application, and following review, have confirmed that the proposed sound insulation would be compliant with the relevant Building Regulation standards. They therefore raise no objection to the sound insulation specification (Ref. 0901241NR, REV 0.0, dated 31.01.2024) prepared by Peak Acoustics Ltd, subject to a compliance condition being attached to ensure that this is installed prior to occupation of the proposed residential unit.

- 6.48 Key Principle HS8 of the Planning Guidance SPD (2018) specifies that planning permission will not be granted for roof terraces or balconies if the use of the terrace or balcony is likely to cause harm to the existing amenities of neighbouring occupiers by reason of noise and disturbance. Supporting Paragraph 3.16 of the Planning Guidance SPD (2018) specifies that the Council may seek for balconies and terraces to be no bigger than 15sqm to reduce noise and disturbance to neighbours.
- 6.49 The proposed terrace would not exceed the typical guidance on terrace sizes contained within Key Principle HS8 of the Planning Guidance SPD (2018), and accordingly, would be considered to limit the number of people who could occupy the terrace at any one time. This is considered sufficient to prevent neighbouring occupants from being exposed to harmful levels of noise associated with usage of the terrace.
- 6.50 Overall, for the reasons outlined above, the proposal would be considered to mitigate against detrimental harm to the amenity of neighbouring occupants with regard to outlook, light, privacy and noise, consistent with Policy D14 of the London Plan (2021), Policies CC11, CC13 and HO11 of the Local Plan (2018) and Key Principles HS6, HS7, HS8 and NN3 of the Planning Guidance SPD (2018).

HIGHWAYS/PARKING AND REFUSE/RECYCLING

+ Highways/parking

- 6.51 Policy T1 of the Local Plan (2018) 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 (2021) specifies that cycle parking should be fit for purpose, secure and well-located, with the following standards for residential accommodation:
- 1 space per studio unit or 1-person, 1-bedroom dwelling
 - 1.5 spaces per 2-person, 1-bedroom dwelling
 - 2 spaces per all other dwellings
- 6.52 Policy T6 (B) of the London Plan (2021) specifies 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.
- 6.53 Policy T4 of the Local Plan (2018) 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.

6.54 Using Transport for London's methodology, the application site has a PTAL 6a rating, indicating excellent public transport accessibility levels. Accordingly, to be compliant with Policy T6 of the London Plan (2021), Policy T4 of the Local Plan (2018) and to prevent an increase in parking stress within surrounding streets, as well as to reduce the impact on air quality which additional car generation would otherwise create, it should be ensured that the proposed residential unit is car parking permit free. The Council's chosen method to ensure car parking permit free development is via a Legal Agreement, and the applicant has confirmed in writing that they are willing to agree a Legal Agreement to secure the proposed residential unit as car free development. Subject to this, officers are satisfied that the proposal would mitigate against harmfully exacerbating any existing levels of parking stress and congestion within the locality, or from impacting on air quality levels. This is considered to be in accordance with Policy T6 of the London Plan (2021) and Policies T4 and CC10 of the Local Plan (2018).

6.55 The current application proposes to locate the cycle storage internally, utilising the under stair communal cupboard in the hallway. Comments received from residents' question whether a bicycle can fit in the space and suggest the storage of the bicycle would obstruct access to the building's meters located inside. Officers highlight that the same internal cycle storage location was proposed as part of planning application ref. 2015/05734/FUL, and whilst that was not deemed acceptable by the Council, this was not supported by the Planning Inspector in determining that appeal (Appeal Decision dated 27.01.2017). The Planning Inspector was satisfied that the use of the space under the stairs for cycle storage was an acceptable solution and accordingly did not uphold that particular reason for refusal.

6.56 Officers note that the proposed cycle storage would provide secure and weather-proof storage and that a similar arrangement was also allowed under the previous appeal at Hazel House (Ref. 2020/02012/FUL), and under Ref. 2022/00833/FUL at Myrtle House. Furthermore, an identical cycle storage arrangement was proposed at Burnham House (Ref. 2024/00254/FUL), which Planning Committee resolved to grant planning permission on 04.03.2025. Accordingly, officers raise no objection to this element of the proposal, which is considered to be consistent with Policy T5 of the London Plan (2021).

+ Refuse and recycling

6.57 Policy CC7 of the Local Plan (2018) specifies that all developments should aim to minimise waste and should provide convenient refuse and recycling storage facilities.

6.58 The existing ground-floor plan demonstrates that the existing bin storage is located within the front garden of Norfolk House, and this was confirmed during the officer site visit. Annotations on the proposed ground-floor plan specify that one additional bin would be provided for the proposed residential studio unit, and that this would be stored in a similar location to the existing bins. Officers consider that this arrangement would ensure adequate provision for bin storage for future occupants of the proposed residential unit. Accordingly, officers are satisfied that the proposal would be compliant with Policy CC7 of the Local Plan (2018).

FLOOD RISK

6.59 The application site lies within the Environment Agency's Flood Risk Zones 2 and 3, and accordingly a flood risk assessment (FRA) would typically be required by Policy CC3 of the Local Plan (2018). Whilst acknowledged that a FRA has not been submitted as part of this application, officers recognise that the proposal relates to the erection of a rear roof extension to accommodate a residential studio unit. Accordingly, the siting of the proposal is considered sufficient to mitigate against harmfully exacerbating the application site's flood risk.

AIR QUALITY

6.60 NPPF (2024) Paragraph 199 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 councils Air Quality Action Plan 2025-2030 was approved and adopted by the council on the 16th of December 2024.

6.61 The development site is within the borough wide Air Quality Management Area (AQMA) and in an area of existing poor air quality due to the road traffic emissions from Shepherds Bush Road (A219) and Goldhawk Road (A402).

6.62 The Council's Air Quality team have reviewed the application and recommended conditions 6, 13 and 14 to secure details of air quality mitigations to ensure the development is in accordance with Local Plan Policies CC1 and CC10, London Plan Policy SI 1, and the councils Air Quality Action Plan.

FIRE SAFETY AND ACCESSIBILITY

6.63 London Plan Policies D5, D7 and Local Plan Policies HO6, DC1, DC4 and HO11 require development proposals to achieve the highest standards of accessible and inclusive design. London Plan Policy D5 part 4) states development should be able to be entered, used and exited safely, easily and with dignity for all.

6.64 In the interests of fire safety and to ensure the safety of all building users, Policy D12 of the London Plan (2021) states that 'all development proposals must achieve the highest standards of fire safety'. Part A of Policy D12 specifies that proposals should ensure that they:

- 1) Identify suitably positioned unobstructed outside space:
 - a) for fire appliances to be positioned on
 - b) appropriate for use as an evacuation assembly point
- 2) Are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures
- 3) Are constructed in an appropriate way to minimise the risk of fire spread
- 4) Provide suitable and convenient means of escape, and associated evacuation strategy for all building users
- 5) Develop a robust strategy for evacuation which can be periodically updated and published, and which all building users can have confidence in

- 6) Provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.
- 6.65 As required by Policy D12 of the London Plan (2021), a fire strategy statement (dated 02.05.2023) has been submitted as part of this proposal. This outlines how consideration has been given to Part A, criteria 1 - 6 of Policy D12. Officers do also highlight that paragraph 3.12.2 of the London Plan (2021) specifies that 'the matter of fire safety compliance is covered by Part B of the Building Regulations'.
- 6.66 The proposal has been reviewed by the Council's Building Control Fire Safety & Means of Escape Officer. Their comments confirm that because the proposal seeks to add an additional floor to the building, there is a requirement to improve the means of escape to meet current Building Control standards; which is the reason for the proposed installation of fire doors and glazed screens to create internal fire lobbies. The creation of internal fire lobbies is considered to be a significant improvement to the means of escape for existing and future occupants, and the use of glazed doors is not a concern as long as these meet the required fire-resisting standards. Glazed screens would also have the added benefit of allowing a greater proportion of natural light into the internal landings and staircases. While it is acknowledged that the fire doors will add a further obstruction for residents when evacuating the building, they are an important means to resist fire spreading throughout the building, and as such on balance are considered an overall benefit to the occupiers of the building. Although the depth of the lobby is reduced this still meets the building regulation standards and the width of the lobby remains as existing.
- 6.67 In respect of how an elderly person or somebody with impaired mobility may navigate the new fire doors, the finer details on the doors would be agreed under the building regulations and not planning. Nonetheless, the Council's Building Control Fire Safety & Means of Escape Officer is satisfied that the residents will be able to evacuate their properties appropriately and without significant hindrance.
- 6.68 The Council's Building Control Fire Safety & Means of Escape Officer has confirmed that all works, materials and installations would be examined during the building control process, and that as part of this, a consultation with the fire service would also be undertaken seeking their observations.
- 6.69 On this basis the proposals would ensure an accessible environment for existing and future occupiers; and in terms of fire risk the details provide are acceptable for the purposes of planning.

BIODIVERSITY NET GAIN

- 6.70 Biodiversity Net Gain (BNG) became mandatory for major development proposals from 12th February 2024 and for minor development proposals from 2nd April 2024.
- 6.71 Officers highlight that the current planning application would be considered a minor development, and that the application was received on 06.02.2024 and validated on 12.02.2024. Accordingly, by reason of the application date preceding the introduction of BNG, the development would be exempt from BNG.

TREES

6.72 The site visit highlighted the presence of mature trees within the rear garden of the application site/neighbouring properties. Potential concern was raised by officers that scaffolding and the storage of building materials in the rear garden may cause harm to the health and visual amenity of the trees. To address these concerns, the applicant has submitted a Tree Protection Statement as part of the application. This details that a temporary tree protection fence will be erected across the rear corner of the application site prior to construction works and will be retained in place for the duration of the construction works.

6.73 The Council's Tree Officer has reviewed the Tree Protection Statement and has raised no objection to the proposal, subject to adherence to this document. Accordingly, these measures would be considered to preserve the health and visual amenity of the trees, and therefore, no objection is raised with regard to Policies OS5 and DC8 of the Local Plan (2018).

7.0 CONCLUSION

7.1 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.

7.2 In summary, the proposed development would result in the net-gain of one self-contained residential studio unit of satisfactory standard, contributing towards the borough's housing supply targets. Furthermore, the scale, massing, design and material finishes would ensure a high standard of design which would preserve the character and appearance of the surrounding area and designated heritage assets, whilst mitigating against detrimental harm to the amenity of surrounding occupants. Highway impacts would be mitigated via a Legal Agreement (Unilateral Undertaking) to secure car permit free development.

7.3 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 in line with the recommendations above.

8.0 RECOMMENDATION

8.1 Grant consent, subject to conditions and a unilateral undertaking.