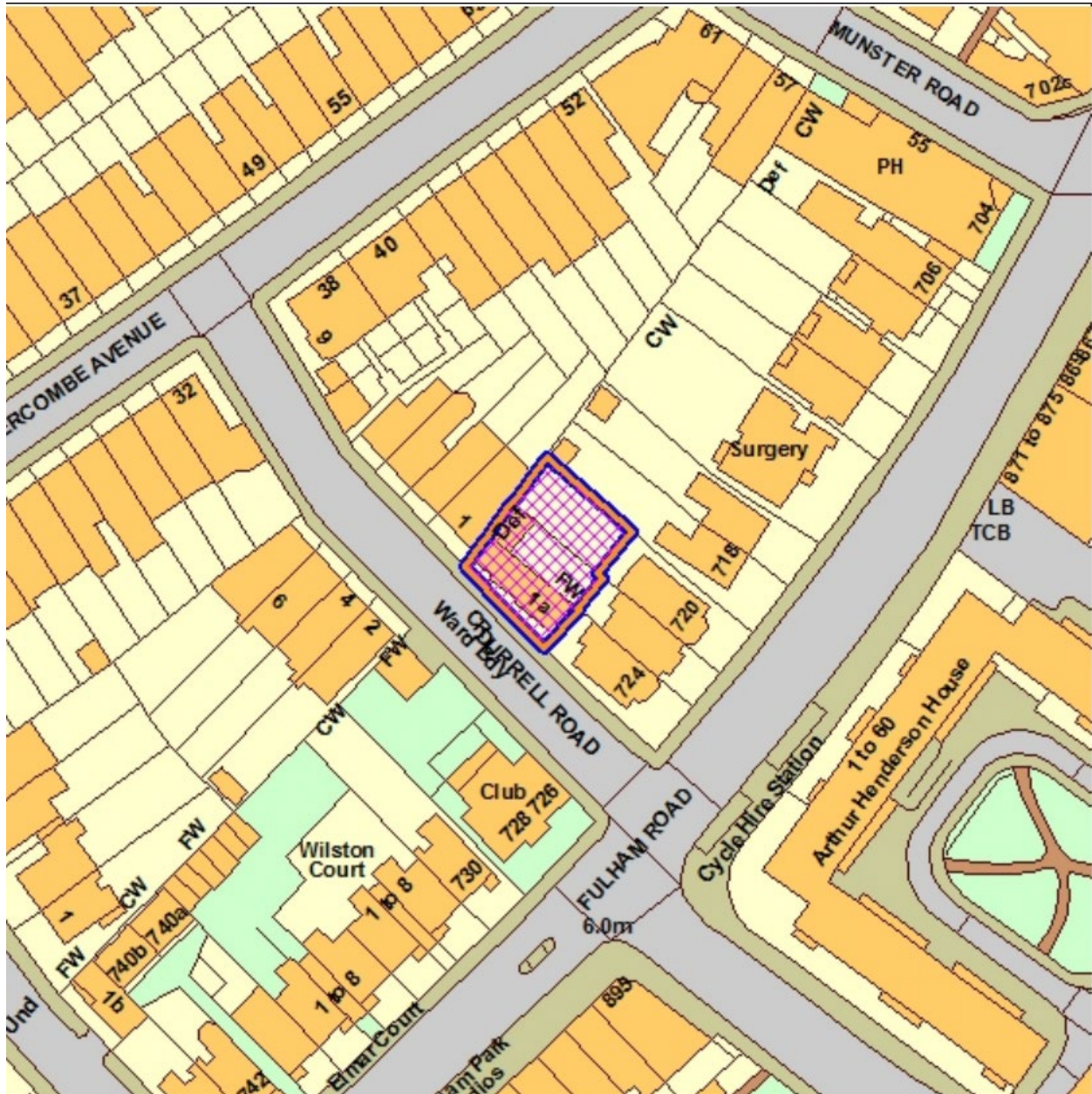


**Ward:** Munster

**Site Address:**

1A Durrell Road London SW6 5LQ



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For identification purposes only - do not scale.

**Reg. No:**  
2025/00352/FUL

**Case Officer:**  
Christopher May

**Date valid:**  
18.02.2025

**Conservation Area:**  
Central Fulham  
Conservation Area

**Committee Date:**  
16.09.2025

**Applicant:**  
Khaled El Jalek  
c/o Jo Cowen Architects  
533 Kings Road  
London  
SW10 0TZ

**Description:**  
Demolition of the existing semi-detached single dwellinghouse and erection of 3no. new dwellinghouses plus basement with front and rear lightwells, including erection of new low level brick-built front boundary wall with metal railings on top and brick piers, erection of 3no. bike stores in the rear garden, and provision of amenity spaces amalgamated with part of the rear garden to the rear of no.720 Fulham Road; removal of existing crossover and reinstatement of footpath/ kerb to the front elevation.

**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.

Reason: 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/Drawings**

The development shall be carried out and completed in accordance with the following drawings hereby approved:

JCA-0936-1000-PP-SP Rev.P1;  
JCA-0936-1001-PP-BF Rev.P2;  
JCA-0936-1002-PP-GF Rev.P2;  
JCA-0936-1003-PP-1F Rev.P1;  
JCA-0936-1004-PP-2F Rev.P3;  
JCA-0936-1005-PP-RF Rev.P2;  
JCA-0936-1010-PE-SW Rev.P2;  
JCA-0936-1011-PE-SE Rev.P3;  
JCA-0936-1012-PE-NE Rev.P2;  
JCA-0936-1013-PE-NW Rev.P2;  
JCA-0936-1020-PA-AA Rev.P2;  
JCA-0936-1021-PS-BB Rev.P3;  
JCA-0936-4501-PP-G Rev.P1;  
JCA-0936-4504-PP-G Rev.P1;

Arboricultural Impact Assessment Report prepared by Landmark Trees received 7 February 2025;

Flood Risk Assessment prepared by Green Structural Engineering received 5 June 2025;

Construction Logistics Plan prepared by ADL Planning PTY Ltd received 7 February 2025;

Construction Management Plan prepared by ADL Planning PTY Ltd received 7 February 2025;

Construction Method Statement prepared by Toynbee Associates received 7 February 2025;

Fire Safety Statement received 7 February 2025.

Reason: To ensure full compliance with the planning permission hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with Policy DC1 and DC2 of the Local Plan (2018).

### **3) Materials**

Details of all external materials to be used in the faces and roofs of the development (including physical material samples) shall be submitted to and approved in writing by the Council prior to the commencement of development. An

external materials sample panel shall be constructed onsite for the inspection and approval of the Council in writing prior to the commencement of development. The development shall be carried out and completed in accordance with the approved details and the approved external materials sample panel and thereafter permanently retained. Any works of making good to existing elevations shall be carried out in materials to match the elevation to which the works relate.

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

#### **4) Hard and Soft Landscaping**

The development hereby permitted shall not be occupied or used before details of the soft and hard landscaping of all private external areas, including planting, planting schedules, paving, boundary walls, fences, gates and other means of enclosure, have been submitted to and approved in writing by the Council.

The development shall thereafter be carried out in accordance with the approved details and permanently retained thereafter. All soft landscaping shall be carried out during the first planting season available. Any soft landscaping removed or severely damaged, dying or becoming seriously diseased within 5 years of planting shall be replaced with a tree or shrub of similar size and species to that originally required to be planted.

Reason: To ensure the building maintains satisfactory external relationship with its surroundings and that the new external areas are of an acceptable appearance, in accordance with Policies DC1 and DC2 of the Local Plan (2018).

#### **5) Refuse and Recycling**

Prior to occupation of the residential units hereby approved the refuse and recycling bin storage shall be implemented in accordance with the approved details as shown on drawing no. JCA-0936-1002-PP-GF Rev.P2 and shall thereafter be permanently retained.

Reason: To ensure adequate refuse and recycling facilities and to ensure that the use does not give rise to smell nuisance and to prevent harm to the character and appearance of the Conservation Area arising from the appearance of accumulated rubbish, in accordance with Policies DC8, CC6 and CC7 of the Local Plan 2018.

#### **6) Cycle Storage**

Prior to occupation of the residential units hereby approved the cycle storage shall be implemented in accordance with the approved details as shown on drawing nos. JCA-0936-1002-PP-GF Rev.P2, JCA-0936-4501-PP-G Rev.P1 and JCA-0936-4504-PP-G Rev.P1 and shall thereafter be permanently retained.

Reason: To encourage and support the increased use of bicycles, thereby promoting sustainable and active modes of transport, in accordance with Policy T5 of the London Plan (2021) and Policies T3 and CC7 of the Local Plan (2018).

### **7) Opaque Window**

The development hereby permitted shall not be occupied until the new first floor bathroom window in unit 1C (as shown on drawing nos. JCA-0936-1003-PP-1F Rev.P1 and JCA-0936-1012-PE-NE Rev.P2;) has been installed with obscure glazing to a minimum level of obscurity equivalent to Pilkington Texture Glass Level 3 and shall be non-opening and fixed shut up to a height of 1.7m above the finished floor level. Thereafter, the window shall be retained in the form approved.

Reason: In order to ensure that the glazing would not result in overlooking and any subsequent loss of privacy, in accordance with Policy HO11 and DC4 of the Local Plan (2018) and Key Principle HS7 of the Planning Guidance Supplementary Planning Document (2018).

### **8) No External Alterations**

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.

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

### **9) Rooftop Structures**

No part of any roofs of the buildings shall be used as roof terraces or other form of open amenity space.

No alterations shall be carried out; nor planters or other chattels placed on the roofs. No railings or other means of enclosure shall be erected on the roofs, and no alterations shall be carried out to any elevation of the application property to form access onto the roofs.

Reason: The use of the roofs as a terrace would increase the likelihood of harm to the existing residential amenities of the occupiers of neighbouring properties as a result of noise and disturbance, contrary to Policies CC11 and CC13 of the Local Plan (2018).

### **10) 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 drawing nos. JCA-0936-1005-PP-RF Rev.P2, JCA-0936-1010-PE-SW Rev.P2 and JCA-0936-1012-PE-NE

Rev.P2, 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.

Reason: 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 DC2 of the Local Plan (2018).

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

No part of the development shall be used or occupied until all flood prevention and mitigation measures have been installed in accordance with the Flood Risk Assessment prepared by Green Structural Engineering received 5 June 2025 and Construction Method Statement prepared by Toynbee Associates received 7 February 2025 and the development shall be permanently retained in this form and maintained as necessary thereafter. Notwithstanding the contents of approved FRA, the flood prevention and mitigation measures for this development shall include permeable paving and water butts as indicated on the approved plans.

Reason: 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 Policy CC2 and CC3 of the Local Plan (2018).

#### **12) Tree Protection**

All site clearance, preparatory work or development shall take place in strict accordance with the hereby approved Arboricultural Impact Assessment Report prepared by Landmark Trees received 7 February 2025.

Tree protection must be in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837: Trees in relation to design, demolition and construction - Recommendations (or in an equivalent British Standard if replaced).

The scheme for the protection of the retained trees shall be carried out as approved.

Reason: To ensure the protection of trees on and off-site during construction works and after in accordance with Policy OS5 of the Local Plan (2018).

#### **13) Hoarding – Demolition Phase**

Prior to commencement of the demolition phase of the development hereby permitted, a scheme for temporary solid timber hoarded fencing (minimum height 2.5 metres) around the perimeter of the site on all site boundaries and/or enclosure of the site shall be submitted to and approved in writing by the Local Planning Authority. The temporary solid timber hoarded fencing and/or enclosure in accordance with BS 5975-2:2024 shall be installed prior to the start of any site

clearance/demolition works and thereafter be retained for the duration of the building works in accordance with the approved details. No part of the temporary fencing and/or enclosure of the site shall be used for the display of commercial advertisement hoardings unless the relevant advertisement consent is sought from the Local Planning Authority. Approved details shall be fully implemented and permanently retained and maintained during the demolition and construction phases of the development.

Reason: To ensure air quality is not compromised during the demolition phase, in line with Local Plan Policies CC10 and CC13 (2018).

#### **14) Air Quality Emissions Control and Dust Management – Demolition Phase**

Prior to the commencement of the demolition phase (excluding installation of hoarding around the perimeter of the site) of the development hereby permitted, details of Air Quality Emissions Control including Nitrogen Oxides (NO<sub>x</sub>), Particulates (PM<sub>10</sub>, PM<sub>2.5</sub>) emission control of Non-Road Mobile Machinery (NRMM), On Road Vehicles and fugitive dust emissions in order to mitigate air pollution shall be submitted to and approved in writing by the council. The submitted details shall include:

- a) Details of the Non-Road Mobile Machinery (NRMM) used on the site with CESAR Emissions Compliance Verification (ECV) identification that shall comply with the minimum Stage V NO<sub>x</sub> and PM<sub>10</sub> emission criteria of The Non-Road Mobile Machinery (Type-Approval and Emission of Gaseous and Particulate Pollutants) Regulations 2018 and its subsequent amendments. This will apply to both variable and constant speed engines for both NO<sub>x</sub> and PM. An inventory of all NRMM for the first phase of demolition shall be registered on the London City Hall NRMM register GLA-NRMM-Register prior to commencement of demolition works and thereafter retained and maintained until occupation of the development.
- b) Details of the use of on-road London Ultra Low Emission Zone (ULEZ) compliant vehicles from on-site contractors and suppliers of services and materials to the site e.g. minimum Petrol/Diesel Euro 6 and Euro VI
- c) Details of installation of solid timber hoarding (minimum height of 2.5 metres) in accordance with BS 5975-2:2024 including photographic confirmation of installed solid timber hoarding around the perimeter of the site on all site boundaries.

Developers must ensure that on-site contractors follow best practicable means to minimise dust, particulates (PM<sub>10</sub>, PM<sub>2.5</sub>) and NO<sub>x</sub> emissions at all times in compliance with the Mayor of London 'The Control of Dust and Emissions during Construction and Demolition', SPG, July 2014. Approved details shall be

fully implemented and permanently retained and maintained during the demolition phases of the development.

Reason: To ensure air quality is not compromised during the demolition phase, in line with Local Plan Policies CC10 and CC13 (2018).

### **15) Air Quality Emissions Control and Dust Management – Construction Phase**

Prior to the commencement of the construction phase (excluding installation of hoarding around the perimeter of the site) of the development hereby permitted, details of Air Quality Emissions Control including Nitrogen Oxides (NO<sub>x</sub>), Particulates (PM<sub>10</sub>, PM<sub>2.5</sub>) emission control of Non-Road Mobile Machinery (NRMM), On Road Vehicles and fugitive dust emissions in order to mitigate air pollution shall be submitted to and approved in writing by the council. The submitted details shall include:

a) Details of the Non-Road Mobile Machinery (NRMM) used on the site with CESAR Emissions Compliance Verification (ECV) identification that shall comply with the minimum Stage V NO<sub>x</sub> and PM<sub>10</sub> emission criteria of The Non-Road Mobile Machinery (Type-Approval and Emission of Gaseous and Particulate Pollutants) Regulations 2018 and its subsequent amendments. This will apply to both variable and constant speed engines for both NO<sub>x</sub> and PM. An inventory of all NRMM for the first phase of construction shall be registered on the London City Hall NRMM register GLA-NRMM-Register prior to commencement of construction works and thereafter retained and maintained until occupation of the development.

b) Details of the use of on-road London Ultra Low Emission Zone (ULEZ) compliant vehicles from on-site contractors and suppliers of services and materials to the site e.g. minimum Petrol/Diesel Euro 6 and Euro VI  
Details of installation of solid timber hoarding (minimum height of 2.5 metres) in accordance with BS 5975-2:2024 including photographic confirmation of installed solid timber hoarding around the perimeter of the site on all site boundaries

Developers must ensure that on-site contractors follow best practicable means to minimise dust, particulates (PM<sub>10</sub>, PM<sub>2.5</sub>) and NO<sub>x</sub> emissions at all times in compliance with the Mayor of London 'The Control of Dust and Emissions during Construction and Demolition', SPG, July 2014. Approved details shall be fully implemented and permanently retained and maintained during the construction phases of the development

Reason: To ensure air quality is not compromised during the construction phase, in line with Local Plan Policies CC10 and CC13 (2018).



## **16) Ventilation Strategy**

Prior to commencement of above ground works in the development hereby permitted, a Ventilation Strategy Report to mitigate the impact of existing poor air quality for the three self-contained dwellinghouses (Use Class C3) shall be submitted to and approved in writing by the Local Planning Authority. This is applicable to all residential floors where Council 2030 World Health Organisation (WHO) aligned Annual Mean Air Quality Targets for Nitrogen Dioxide (NO<sub>2</sub>) - 10ug/m-3, Particulate (PM<sub>10</sub>) -15 ug/m-3 and Particulate (PM<sub>2.5</sub>) - 5 ug/m-3 are exceeded and where current and future predicted pollutant concentrations are within 5% of these limits. The report shall include the following information:

1. Details and locations of the ventilation intake locations at rear roof level or on the rear elevations of all residential floors.
2. Details and locations of ventilation extracts, to demonstrate that they are located a minimum of 2 metres away from the air ventilation intakes on all residential floors, to minimise the potential for the recirculation of extract air through the supply air ventilation intake in accordance with paragraph 8.9 part 'C' of Building Standards, Supporting Guidance, Domestic Ventilation, 2nd Edition, The Scottish Government, 2017.
3. Details of the independently tested mechanical ventilation system with Nitrogen Dioxide (NO<sub>2</sub>) and Particulate Matter (PM<sub>2.5</sub>, PM<sub>10</sub>) filtration with air intakes on the rear elevation to remove airborne pollutants. The filtration system shall have a minimum efficiency of 90% in the removal of Nitrogen Oxides/Dioxides, Particulate Matter (PM<sub>2.5</sub>, PM<sub>10</sub>) in accordance with BS EN ISO 10121-1:2014 and BS EN ISO 16890:2016.

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

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

## **17) Ventilation Strategy - Compliance**

Prior to occupation of the development hereby permitted, details of a post installation compliance report including photographic confirmation of the mitigation measures as detailed in the approved ventilation strategy as required by condition 15 to mitigate the impact of existing poor air quality shall be submitted to and approved in writing by the Local Planning Authority. The report shall be produced by an accredited Chartered Building Surveyor (MRICS). Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

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

### **18) Zero Emission Heating**

Prior to occupation of the development hereby permitted, details (including manufacturer specification, installation/commissioning certificates and photographic confirmation) of the installed Zero Emission Air Source Heat Pumps as stated within the Energy and Sustainability Statement prepared by Hodkinson dated March 2025 to be provided for space heating and hot water for the three self-contained dwellinghouses (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.

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

### **19) Indoor Air Quality**

Prior to occupation of the development hereby permitted, the installation/commissioning certificates including photographic confirmation of the installed electric induction cooking appliance in the kitchens of the three self-contained dwellinghouses (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.

Reason: 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 Local Plan Policy CC10 and the councils Air Quality Action Plan.

### **20) Wastewater Heat Recovery System (WWHRS)**

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 three self-contained dwellinghouses (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.

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

## **21) Demolition Management/Logistics Plan**

Prior to commencement of the development hereby approved the following shall be submitted to, and approved in writing by the Local Planning Authority:

- (i) A Demolition 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 Demolition Logistics Plan:  
This shall be in accordance with Transport for London (TfL) requirements and must seek to minimise the impact of demolition traffic on nearby roads and restrict demolition trips to off peak hours only. The details shall also include the numbers, size and routes of demolition vehicles, provisions to ensure that all vehicles associated with the demolition 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.

Reason: To ensure that demolition 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).

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

Prior to commencement (excluding site clearance and demolition) of the development hereby approved 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.

Reason: 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).

**23) Preliminary Risk Assessment**

No development shall commence until a preliminary risk assessment report is submitted to and approved in writing by the Council. This report shall comprise: a desktop study which identifies all current and previous uses at the site and surrounding area as well as the potential contaminants associated with those uses; a site reconnaissance; and a conceptual model indicating potential pollutant linkages between sources, pathways and receptors, including those in the surrounding area and those planned at the site; and a qualitative risk assessment of any potentially unacceptable risks arising from the identified pollutant linkages to human health, controlled waters and the wider environment including ecological receptors and building materials. All works must be carried out in compliance with and by a competent person who conforms to LCRM: Land Contamination Risk Management (Environment Agency 2023) or the current UK requirements for sampling and testing.

Reason: Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policy CC9 of the Local Plan (2018).

#### **24) Site Investigation Scheme**

No development shall commence until a site investigation scheme is submitted to and approved in writing by the Council. This scheme shall be based upon and target the risks identified in the approved preliminary risk assessment and shall provide provisions for, where relevant, the sampling of soil, soil vapour, ground gas, surface and groundwater. All works must be carried out in compliance with and by a competent person who conforms to LCRM: Land Contamination Risk Management (Environment Agency 2023) or the current UK requirements for sampling and testing.

Reason: Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policy CC9 of the Local Plan (2018). 26)

#### **25) Quantitative Risk Assessment**

Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until, following a site investigation undertaken in compliance with the approved site investigation scheme, a quantitative risk assessment report is submitted to and approved in writing by the Council. This report shall: assess the degree and nature of any contamination identified on the site through the site investigation; include a revised conceptual site model from the preliminary risk assessment based on the information gathered through the site investigation to confirm the existence of any remaining pollutant linkages and determine the risks posed by any contamination to human health, controlled waters and the wider environment. All works must be carried out in compliance with and by a competent person who conforms to LCRM: Land Contamination Risk Management (Environment Agency 2023) or the current UK requirements for sampling and testing.

Reason: Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policy CC9 of the Local Plan (2018).

## **26) Remediation Method Statement**

Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until, a remediation method statement is submitted to and approved in writing by the Council. This statement shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved quantitative risk assessment. All works must be carried out in compliance with and by a competent person who conforms to LCRM: Land Contamination Risk Management (Environment Agency 2023) or the current UK requirements for sampling and testing.

Reason: Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policy CC9 of the Local Plan (2018). 27)

## **27) Verification Report**

Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until the approved remediation method statement has been carried out in full and a verification report confirming these works has been submitted to, and approved in writing, by the Council. This report shall include details of the remediation works carried out; results of any verification sampling, testing or monitoring including the analysis of any imported soil; all waste management documentation showing the classification of waste, its treatment, movement and disposal; and the validation of gas membrane placement. If, during development, contamination not previously identified is found to be present at the site, the Council is to be informed immediately and no further development (unless otherwise agreed in writing by the Council) shall be carried out until a report indicating the nature of the contamination and how it is to be dealt with is submitted to, and agreed in writing by, the Council. Any required remediation shall be detailed in an amendment to the remediation statement and verification of these works included in the verification report. All works must be carried out in compliance with and by a competent person who conforms to LCRM: Land Contamination Risk Management (Environment Agency 2023) or the current UK requirements for sampling and testing.

Reason: Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policy CC9 of the Local Plan (2018).

### **28) Onward Long-Term Monitoring Methodology**

Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until an onward long-term monitoring methodology report is submitted to and approved in writing by the Council where further monitoring is required past the completion of development works to verify the success of the remediation undertaken. A verification report of these monitoring works shall then be submitted to and approved in writing by the Council when it may be demonstrated that no residual adverse risks exist. All works must be carried out in compliance with and by a competent person who conforms to LCRM: Land Contamination Risk Management (Environment Agency 2023) or the current UK requirements for sampling and testing.

Reason: Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policy CC9 of the Local Plan (2018).

### **29) PD Rights – Use as Single Family Dwelling**

The dwellings hereby approved shall only be used as single dwellinghouses falling within use Class C3. The resulting property shall not be used as a house in multiple occupation falling within Class C4 of the Town & Country Planning (Use Classes) Order 1987 (as amended).

Reason: The use of the property as a house in multiple occupation rather than as a single residential unit, would raise materially different planning considerations that the Council would wish to consider under a full planning application, in accordance with Policies DC1, T1, HO1, HO2, HO4, HO5, HO11 and HO8 of the Local Plan (2018).

### **30) Remove PD rights - Alterations and Extensions**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification) no enlargement, improvement, alteration, building, or enclosure permitted by Schedule 2, Part 1, Classes A, D or E of the Order shall be carried out or erected without the prior written permission of the local planning authority.

Reason: To safeguard the visual amenities of the area and ensure that the external appearance of the building is satisfactory and safeguard the amenities of neighbouring occupiers and amenity of future occupiers in accordance with Policies DC1, DC4, HO11 and DC8 of the Local Plan (2018).

### **31) Internal Noise Criteria**

The noise level in rooms at the development hereby approved shall meet the noise standard specified in BS8233:2014 for internal rooms and external amenity areas.

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

### **32) Fire Safety**

The development shall be carried out in accordance with the provisions of the Fire Safety Statement prepared by Fire Safety London dated 20<sup>th</sup> January 2025, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the development incorporates the necessary fire safety measures in accordance with Policy D12 of the London Plan (2021).

### **33) Building To Be Recorded**

Prior to commencement of any demolition works, an internal and external photographic record of the building identifying key features within each room and all circulation spaces with locations of each photograph marked on floor plans shall be submitted to and approved in writing by the Local Planning Authority and a copy of the approved photographic record and floorplans shall be deposited at the Local Archives.

Reason: To record the local historic interest of the Building of Merit for future generations, in accordance with Policy DC8 of the Local Plan 2018.

### **34) Building Contract**

The demolition works hereby permitted shall not commence until a signed building contract(s) for the complete redevelopment of the site in accordance with the approved plans has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that works do not take place prematurely, thereby preventing unnecessary harm to the significance of the Building of Merit and the Conservation Area in accordance with Policy DC8 of the Local Plan 2018.

**Justification for approving application:**



1. Land Use: The proposal would achieve a sustainable form of development by meeting local housing demands on previously developed land suitable for residential infill development that would be compatible with the land uses in the surrounding area, which is characterised primarily by residential uses in single dwellinghouses and flats. The proposed family sized residential units would make efficient use of land by optimising residential use on this brownfield site. The proposals are therefore considered to be in accordance with Policy D3, GG2 and GG4 of the London Plan (2021) and Policies HO1, HO4 and HO5 of the Local Plan (2018).

2. Housing Quality: The proposed development would provide 3 family-sized dwellinghouses with 3-4 bedrooms in excess of their minimum floorspace requirements and with some external amenity space. The proposed units would provide dwellings with acceptable living conditions, good standards of accommodation and good amenities to future occupiers in accordance with London Plan (2021) Policy D6, the Mayor's Housing 'Design Standards' LPG (2023), the DCLG's Nationally Described Space Standards (2015), Local Plan (2018) Policies HO4, and HO11 and relevant Housing Key Principles of the 'Planning Guidance' SPD (2018) which all require new housing to be of a high quality design and be designed to have adequate internal and external space.

3. Design, Appearance and Character: The proposed development is considered to be of a high-quality of design which optimises the capacity of previously developed land. It is considered that the proposed development would be compatible with the character and appearance of the surrounding development and the prevailing character of the Conservation Area in terms of its height, mass, form, detailed design and materiality. Whilst the proposal would result in the loss of a locally listed Building of Merit, it has been adequately demonstrated that the existing building has been significantly altered over time such that it no longer retains any significant architectural interest and that it is of limited local historic interest. The harm to the significance of the Central Fulham Conservation Area arising from the loss of the non-designated heritage asset would be less than substantial and would be outweighed by public benefits including the high quality of the design of the replacement dwellings and the delivery of new housing units. The proposed scheme therefore accords with the NPPF (2024), London Plan (2021) Policies D3 and HC1 and Local Plan (2018) Policies DC1, DC2 and DC8.

4. 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 proposed scheme would not have an unacceptably harmful impact on neighbouring residential amenity in terms of daylight/sunlight, outlook, privacy and noise and disturbance. In this regard, the proposals comply with Policies DC1, DC2,

HO11, CC11, CC12 and CC13, and relevant housing and amenity Key Principles of the 'Planning Guidance' SPD (2018).

5.       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 would be made for cycle parking, and a legal agreement is secured to ensure a car-free scheme for the two new units in this area which benefits from very good public transport links. Adequate provision for the storage and collection of refuse and recyclables would be provided. The existing off-street parking space would be eliminated, and the associated vehicular crossover would be removed, with the kerb reinstated at the applicant's expense. 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).

6.       Environmental Issues: The impact of the development with regards to land contamination, flood risk, energy, sustainability, trees and air quality are considered to be acceptable subject to conditions to secure further details of mitigations and appropriate measures, in accordance with London Plan (2021) Policies SI 12 and SI 13 Local Plan (2018) Policies CC1, CC2, CC3, CC4, CC9, CC10 and OS5, and relevant Key Principles of the 'Planning Guidance' SPD (2018).

7.       Planning Obligations: Planning obligations to offset the impacts of the development and make it acceptable in planning terms are secured. This includes urban greening/tree replacement, car permit free restrictions, Section 278 highways works and the submission of a Construction Management Plan and an Air Quality Dust Management Plan plus monitoring fees. The proposed development would therefore mitigate external impacts and cater to the needs of the community affected by the proposed development. This would accord with London Plan (2021) Policy DF1 and Local Plan (2018) Policy INFRA1.

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

- 1)   In determining this application, the local planning authority has worked in a pro-active and positive manner with the applicant to foster the delivery of sustainable development, in accordance with the requirements of paragraph 38 of the National Planning Policy Framework (2023).
- 2)   If the alterations include integration of new water using fixtures/fittings, then these should be water efficient ones to comply with the requirements of Local Plan Policies CC3 and CC4 (2018).

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 applicant should contact the Environmental Quality team via e-mail to [Environmental.Quality@lbhf.gov.uk](mailto:Environmental.Quality@lbhf.gov.uk) or by phone on 0208 753 1081 as soon as possible to discuss the steps necessary to fulfil the contaminated land conditions.
- 5) You are advised that under Section 80 of the Building Act 1984 you are required to give the Council a minimum of 6 weeks' notice of your intention to carry out any works of demolition of the whole or part of a building. You should submit your notice of intended demolition to the London Borough of

Hammersmith and Fulham, Environmental Quality Team, Hammersmith Town Hall Extension, King Street, Hammersmith W6 9JU or email [Environmental.Quality@lbhf.gov.uk](mailto:Environmental.Quality@lbhf.gov.uk). Please see our webpage for further details: Demolition notices | London Borough of Hammersmith & Fulham ([lbhf.gov.uk](http://lbhf.gov.uk))

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

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

Application form received: 7<sup>th</sup> February 2025

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 - 'Climate Change' Supplementary Planning Document (2023)

### **Consultation Comments:**

**Comments from:**  
Metropolitan Police Crime Prevention

**Dated:**  
06.03.2025

### **Neighbour Comments:**

**Letters from:**

**Dated:**

3 Durrell Road SW6 5LQ	28.03.2025
38a Hestercombe Avenue SW6 5LJ	25.02.2025
34 Waldemar Avenue London SW6 5NA	20.02.2025
40 Waldemar Avenue London SW6 5NA	20.02.2025
2 Durrell Road London SW6 5LH	22.04.2025
Flat 1 722 Fulham Road London SW6 5SB	19.03.2025

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

- 1.1. The site (0.04 hectares) is located on the northeast side of Durrell Road and includes an existing two-storey building in use as a single-family dwellinghouse with an ancillary garage and 1 parking space accessed from Durrell Road. The property contains a one-storey rear extension constructed along the northwest boundary with No.1 Durrell Road.
- 1.2 The site is situated in a predominantly residential area. To the east and north-east are Nos.720 to 724 Fulham Road which comprise a four-storey residential terrace (plus basement) which is in use as flats. Immediately to the west and to the south along Durrell Road are two-storey residential terraces with accommodation at roof level.
- 1.3 The site is located within the Central Fulham Conservation Area and property included on the Council's Local Register of Buildings of Merit. The site is also located within the Environment Agency's Flood Risk Zone 3.

### **Relevant Planning History**

- 1.4 In 1980 planning permission (Ref: 1980/01205/FUL) was granted for the erection of rear extension at ground and first floor levels.

## **2. PUBLICITY AND CONSULTATION**

### **Pre-Application**

- 2.1 In accordance with the National Planning Policy Framework (NPPF), the applicant undertook pre-application discussions with the Local Planning Authority between May 2024 and October 2024. The final pre-application scheme was submitted in August 2024, and officers raised no objections subject to minor design alterations and an assessment of the full impact on the residential amenity of neighbouring properties. The applicant was encouraged to conduct their own pre-application engagement with neighbours due to the proximity of neighbouring buildings.

### **Pre-Application Public Engagement**

- 2.2 The applicant's Design and Access include a chapter on the methodologies that they used during their pre-application consultation process. Letters were sent out to neighbouring properties and site notices were posted ahead of two public meetings on 11<sup>th</sup> and 18<sup>th</sup> of September 2024. According to the applicant, the draft proposals were well received in general and the following summary comments were provided by respondents: -

- Some support for the principle of development;

- Request for transparency and clear communication throughout planning and delivery stages;
- Request appropriate site management and use of reputable building contractors with necessary experience;
- Management of construction and through traffic;
- Car parking;
- Daylight levels;
- Location of new tree and specification.

2.3 In response to the to the feedback, the applicant submitted the following:

- a professional Daylight/Sunlight report
- detailed demolition/construction management/logistics plans

### **Statutory Consultation**

2.4 The application was publicised by site and press notices. Individual notification letters were also sent to 76 neighbouring addresses. In response, 7 letters were received including 1 joint letter of support from 6 individual addresses which states that the three family-sized homes would represent a positive contribution to the neighbourhood. The 6 objections (including duplicates) raised the following summary concerns: -

- This is not a brownfield or opportunity site, and intensification is not justified
- Demolition of Building of Merit in conservation area
- Loss of green space on site
- Bland new build
- Insufficient evidence to show that there will not be substantial loss of sunlight and daylight to the rear properties fronting Fulham Road
- Unsatisfactory flood risk assessment

2.5 Officers comments:

The National Planning Policy Framework (NPPF, 2024) defines 'brownfield' as 'previously developed land', which includes 'land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed).' The application site meets the NPPF definition and policy approach for the redevelopment of brownfield sites.

All the relevant concerns which constitute a material planning matter, including design and visual amenity, compatibility with the surrounding conservation area, impacts on neighbouring residential amenity, and environmental concerns are addressed within the body of the report.

### **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) and the 'Climate Change' (2023) Supplementary Planning Documents (hereafter referred to as 'Planning Guidance' 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 (2023)**

- 3.4 The National Planning Policy Framework - NPPF (as updated 2023) 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) and the 'Climate Change' Supplementary Planning Document (2023) (hereafter referred to as the 'Climate Change' SPD), include:

- the principle of the development in land use terms;
- housing quality;
- design, character and appearance;
- residential/neighbouring amenity;
- transport and highways;
- environmental considerations and
- planning obligations.

#### **4. PRINCIPLE OF DEVELOPMENT AND LAND USE**

##### **Housing Supply**

4.1 Policy H1 of the London Plan (2021) establishes ten-year targets for net housing completions that each local planning authority should plan for. Table 4.1 sets a 10-year target of 16,090 net additional dwellings for Hammersmith and Fulham by 2028/2029. Policy HO1 of the Local Plan (2018) references this target and seeks the delivery of additional dwellings within the borough on both identified and windfall sites, and as a result of changes of use.

4.2 The existing lawful use of the building is as a single dwellinghouse for residential purposes. The application site is located within a residential area and would result in a net gain of 2 residential units that would contribute towards housing delivery in the borough. The continued use of the site for residential purposes is acceptable subject to relevant development management policies and any other material considerations. The proposals accord with London Plan Policy H1 and Local Plan (2018) Policy HO1.

##### **Small Sites**



- 4.3 Policy H2 (Small Sites) of the London Plan sets out that Boroughs should proactively support well-designed new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan-making. The site is approximately 0.04 hectares in size and therefore represents a small site for the purpose of this policy.
- 4.4 The proposal would provide three residential units and would make efficient use of this small site. The proposals accord with Policy H2.

### **Housing mix**

- 4.4 Policy HO5 of the Local Plan requires a mix of housing types and sizes in development schemes, especially increasing the proportion of family accommodation.
- 4.5 The proposed scheme comprising of 2 x 4-bed and 1 x 3-bed units is considered to represent an appropriate housing mix in this location. Generally, outside of town centres, the Council would expect a higher proportion of larger family-sized units. This is because such locations are not usually as constrained and are more appropriate to provide large family sized units. Overall, the proposed scheme would accord with Policy HO5 of the Local Plan.

## **5. QUALITY OF ACCOMMODATION**

### **Internal Floorspace and External Amenity Space Standards**

- 5.1 Local Plan Policy HO4 seeks to ensure that all housing development is provided to a satisfactory quality, has an appropriate mix of types and sizes, with an emphasis on family accommodation. Local Plan Policy HO11 requires that design and quality of all new housing, including new build, is of a high standard and will meet the needs of future occupants and respect the principles of good neighbourliness. This is supported by the housing standards within Key Principles HS1, HS2, and HS3 of the Council's SPD, which sets minimum floor areas and internal room sizes for new residential development. In either case, any development would still need to comply with the London Plan minimum standards which supersede those within the Local Plan.
- 5.2 Policy D6 of London Plan (2021) states that housing development should be of high-quality design and provide adequately sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners without differentiating between tenures. Dwellings must provide a minimum amount of gross internal floor area and built-in storage area. The proposed dwellinghouse would also need to meet the relevant standards set out in the Mayor's Housing Supplementary Planning Guidance (SPG), the DCLG's Nationally Described Space Standards and Key Principle HS2.
- 5.3 The proposals include the following minimum GIA unit sizes:

- Unit 1A: 4-bed, 7 Person, 3 Storey: 209sqm - complies 121sqm minimum
- Unit 1B: 4-bed, 7 Person, 3 Storey: 206sqm - complies 121sqm minimum
- Unit 1C: 3-bed, 5 Persons, 3 Storey: 197sqm - complies 99sqm minimum

5.4 All the units exceed the minimum floorspace requirements as detailed in Table 3.1, Policy D6 of the London Plan (2021) and Key Principle HS2 of the Planning Guidance SPD. The proposal also includes more than 3sqm of built-in storage for each dwelling.

5.5 Room sizes within the unit and their compliance with Key Principle HS3 are detailed below:

**Table 1: Proposed Room Sizes (sqm)**

	Unit 1A	Unit 1B	Unit 1C
<b>Living Room</b> (min 15sqm)	15.2	<b>12.2</b>	<b>13.0</b>
<b>Kitchen/Diner</b>	25.4	23.4	29.1
<b>Main Bedroom</b>	18.8	23.7	21.7
<b>Main Bathroom</b>	5.6	4.8	5.1
<b>Double Bedroom 2</b>	17.9	16.4	14.9
<b>Double Bedroom 3</b>	12.1	16.8	8.5
<b>Single Bedrooms 4</b>	17.2	16.0	N/A

5.6 With the exception of the 2 drawing rooms which appear to function as living rooms in 1B and 1C, all the rooms meet minimum standards as outlined in Key Principle HS3. Notably, all three dwellings include a generous secondary “cinema” room at basement level that would provide additional living space for lounging and entertainment. Overall, in this case, it is considered that the proposed new dwellings would provide sufficient internal space to provide a suitable standard of amenity for future occupiers.

5.7 The London Plan (2021) Policy D6 (F), Subsection 9 provides guidance for private amenity space in new dwellings. The supporting text recognises that private open space is highly valued and that a minimum of 5 square metres of private outdoor space should be provided in new developments for 1-2 person dwellings, with a minimum depth and width of 1.5m. Local Plan Policy HO11 and SPD Key Principle HS1 require all new developments to make provision for open space to

meet the needs of occupiers and users, appropriate to the type of housing being provided.

- 5.8 The proposal includes approximately 23-31sqm of external amenity space for each of the units within private rear gardens. The proposals would provide suitable amenity space for each dwelling in accordance with London Plan Policy D6 and Local Plan HO11 and SPD Key Principle HS1.

### **Outlook and Daylight to Habitable Rooms**

- 5.9 The London Plan, the Mayor's Housing SPG Standards 29 and 32 and Planning Guidance SPD Key Principle HS2 state that developments should minimise the number of single aspect dwellings, and single aspect dwellings that are north facing should be avoided. SPD Key Principle HS2 defines "north facing" as "where the orientation is less than 50 degrees either side of north." The supporting text (Paragraph 3.7) further points out that in respect of aspect, the reception of sunlight is important to the quality of life and therefore in designing new buildings the ability for at least one habitable room to receive sunlight should be priority.
- 5.10 The proposal would be dual aspect with windows and rooflights across the southwest and northeast elevations. Aside from one bedroom in each unit within the front portion of the loft level, which would feature rooflights instead of a window, all the habitable rooms within the units would benefit from windows which would appear to provide suitable levels of daylight and outlook.
- 5.11 The London Plan (2021) Policy D6 and SPD Key Principle HS2 stipulate that the minimum floor to ceiling height must be 2.5m for at least 75 per cent of the Gross Internal Area of a dwelling.
- 5.12 All the dwellings would meet the minimum floor to ceiling height of 2.5m for at least 75 per cent of the Gross Internal Area of a dwelling. The proposals would accord with London Plan Policy D6.

### **Noise and Disturbance**

- 5.13 Policies HO11, CC11 and CC13 of the Local Plan (2018) relate to environmental nuisance and require all development to ensure that there is no undue detriment to the general amenities enjoyed by existing surrounding occupiers, particularly those of residential properties.
- 5.14 To a safeguard the amenity of future occupiers, a condition would be attached to ensure that the noise level in rooms at the development do not exceed maximum noise standards for internal rooms and external amenity areas. Subject to this

condition the development accords with Policies HO11, CC11 and CC13 of the Local Plan (2018).

- 5.15 Overall, it is considered that the proposed scheme would provide suitable standards of accommodation as housing units within the borough. This would accord with Local Plan Policies HO4 and HO11, London Plan Policy D6, the Mayor's Housing Design Standards LPG and the Nationally Described Space Standards (Technical Housing Standard).

### **Secured by Design**

- 5.16 London Plan Policy D11 and Local Plan Policy DC1 both require new developments to respect the principles of Secured by Design and to ensure that proposals create a safe, secure, and appropriately accessible environment where crime and disorder and the fear of crime do not undermine quality of life or community cohesion.
- 5.17 The Metropolitan Police Crime Prevention Team have reviewed this application, and suggested applicants is informed to contact their office to commence the Secured by Design (SBD) accreditation process. Details of how the proposal will incorporate measures for crime prevention will be secured by condition.
- 5.18 Subject to conditions, the proposed development accord with London Plan Policy D11 and Local Plan Policy DC1.

### **Fire Safety**

- 5.19 Policy D12 of the London Plan states that 'all development proposals must achieve the highest standards of fire safety'.
- 5.20 Paragraph 3.12.2 of the London Plan specifies that the matter of fire safety compliance is covered by Part B of the Building Regulations. However, to ensure that proposals achieve the highest standards of fire safety, reducing risk to life, minimising the risk of fire spread, and providing suitable and convenient means of escape which all building users can have confidence in, applicants should consider issues of fire safety before building control application stage.
- 5.21 Pursuant to London Plan Policy D12, the submission of a Fire Statement is not a requirement for minor development proposals. In the interests of fire safety and to ensure the safety of all building users, the application has included a Fire Safety Strategy which outlines fire safety measures such as means of escape, mitigations for reducing a fire spread, inclusion of dry risers, hydrant location etc. This has been conditioned to ensure the Fire Safety Strategy is adhered to in perpetuity. Given the nature of the proposal, officers are satisfied that this consideration is satisfactory in line with London Plan Policy D12, Part A.

5.22 Overall, subject to condition, the proposals would accord with fire safety and Policy D12 of the London Plan.

## **6. DESIGN, CHARACTER AND APPEARANCE**

- 6.1 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.
- 6.2 London Plan Policy D3 (Optimising site capacity through the design-led approach) states that, in terms of quality and character, development proposals should "respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character; and be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well".
- 6.3 Policy DC1 of the Local Plan (2018) requires that all development within the borough should create a high-quality urban environment that respects and enhances its townscape context and heritage assets.
- 6.4 Policy DC2 requires that new build development will be permitted if it is of a high standard of design and compatible with the scale and character of existing development and its setting. The Policy sets out a number of criteria that all proposals should meet, including:
- a) the historical context and townscape setting of the site, and its sense of place;
  - b) the scale, mass, form and grain of surrounding development and connections to it;
  - c) the relationship of the proposed development to the existing townscape, including the local street pattern, local landmarks and the skyline;
  - d) the local design context, including the prevailing rhythm and articulation of frontages, local building materials and colour, and locally distinctive architectural detailing, and thereby promote and reinforce local distinctiveness;
  - e) good neighbourliness and the principles of residential amenity;

## **Heritage Impacts**

- 6.5 The NPPF states that development should be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). The NPPF advocates a positive strategy for conserving and enhancing the historic environment, taking account of (amongst other things) the desirability of new development to make a positive contribution to local character and distinctiveness. The NPPF also seeks to promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively. Paragraph 125 states that planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused.
- 6.6 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the principal statutory duties which must be considered in the determination of any application affecting listed buildings or conservation areas. Section 72 of the Act is relevant to consideration of these applications. In determining applications, Paragraph 208 of the NPPF states that LPAs should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
- 6.7 Paragraph 216 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 6.8 The NPPF makes a clear distinction between the approach to be taken in decision-making where a proposed development would affect the significance of designated heritage assets (listed buildings, conservation areas, Registered Parks and Gardens) and where it would affect the significance of non-designated heritage assets (buildings of local historic and architectural importance).
- 6.9 The NPPF also makes a clear distinction between the approach to be taken in decision-making where a proposed development would result in 'substantial' harm and where it would result in 'less than substantial' harm.

- 6.10 The Planning Practice Guidance notes which accompany the NPPF remind us that it is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed.
- 6.11 Policy DC8 also seeks to protect, restore or enhance the quality, character, appearance and setting of the borough's historic environment including its conservation areas. When determining applications affecting heritage assets, particular regard will be given to matters of scale, height, massing, alignment, materials and use.
- 6.12 Key Principle BM2 states that development will not be permitted if it would result in the demolition, loss or harmful alteration to buildings, structures and artifacts that are of local townscape, architectural or historic interest, including all buildings identified on the council's Register of Buildings of Merit unless:
1. (a) The building or structure is no longer capable of beneficial use, and its fabric is beyond repair; or
  - (b) The proposed development would outweigh the loss or harm to the significance of the non-designated heritage asset; and
  - (c) The proposed development cannot practicably be adapted to retain any historic interest that the building or structure possesses; and
  - (d) The existing building or structure has been fully recorded; and
2. In the case of artifacts, they cannot practicably be retained in situ or, failing that, retained for re-use elsewhere within the site.
- 6.13 Key Principle CAG1 describes how the mixture of uses within a conservation area is a component of character and often reinforces the role and quality of its individual buildings and local townscape. The impact of changing the balance of uses on that character must be carefully considered. Where new uses are proposed, they should be configured and accommodated in a manner that is consistent with the character of the conservation area and its architectural form, scale and features.
- 6.14 Key Principle CAG2 goes on to state that new development should contribute positively to the townscape and visual quality of the area and achieve a harmonious relationship with its neighbours to preserve or enhance the character and appearance of the conservation area. A successful design will take account of the characteristics of setting, urban grain, key townscape features, architectural details, landscape features, views, landmarks of the conservation area.

- 6.15 The application proposes the demolition of a Building of Merit located within the Central Fulham Conservation Area. The property is two storeys with a front gable to one bay and a pitched roof. It is simply designed in yellow stock brick with metal windows and soldier courses above the window openings. There is a single storey 'lean to' adjacent to the front boundary and an integral garage accessed from the public highway via a crossover with cobble stones. The Building of Merit would be replaced with three traditionally designed two storey houses with basements and living accommodation in the roofspace that seek to replicate the form, height, mass, front building line and detailed design of the adjacent Victorian properties when viewed from the street. Such a development would reflect the prevailing character of the Conservation Area.
- 6.16 There is relatively little information currently available on the significance of the Building of Merit. Historic maps suggest that there was a building on the site in the 1890s, potentially a commercial or industrial use. However, the building footprint has changed significantly over time, and it is unclear as to whether the current building is the same one that was on the site in the 1890s.
- 6.17 In response to feedback received at the pre-application stage, the applicant has submitted a Heritage Impact Statement outlining the history of the Building of Merit and assessing its significance. An 1894 Ordnance Survey Map shows a small structure in the rear garden of 724 Fulham Road which corresponds to a remnant part of 1A Durrell Road. Given the pattern of nearby development at this time, this building is likely to have been a stable or ancillary accommodation for the larger houses fronting Fulham Road.
- 6.18 The 1951 Ordnance Survey Map shows the building as having been substantially extended. The Heritage Impact Assessment concludes that the building, as it exists today, appears to be a hybrid of an older, perhaps coach house that dates to the end of the 19th century but entirely altered, with a large extension to the southeast which terminates with a brick gable. It is likely that at this time the whole elevation appears to have been given an inter-war appearance with 'Crittall' style, metal framed windows.
- 6.19 The northwest portion of the existing building corresponds with the building footprint on the 1894 Ordnance Survey Map, including the slight step in the front elevation. The high brick wall with piers at the front suggests there may have been a garage or coach entrance, which is now blocked. However, internally this space is now a kitchen and externally all stylistic reference to that time has been lost. To the rear, the whole of the older and extended building has an entirely blank façade to the rear garden and there is now also a flat roofed rear extension dated to 1981, of no architectural interest.



- 6.20 The Heritage Impact Assessment notes that archival research at the Hammersmith Local History Centre revealed very little additional information about the building. The archive has revealed that the house was occupied by Eric Warburg and his two wives for nearly 50 years; however, there is no evidence that this contributed to any particular historic or associative interest in the building. The archive also contains a number of street photographs dated July 1974 which show the house in its current context: largely un-changed except for the presence of what appears to be a prefab house on land now used for garages, to the north.
- 6.21 Whilst 1A Durrell Road has an element of historical interest, as shown from the historic maps, its inter-war extensions have completely altered both its character and appearance to the extent that it currently bears little relationship with either the earlier development of the area, or the more prevalent late 19th/early 20th century development. The result is a building that is stylistically out of place and with little architectural cohesiveness. The blocked-in entrance at the northwest end provides an awkward blank elevation to the street and the majority of building is single-aspect with a large blank two-storey elevation to the rear. Other than from historic maps, its original function cannot be discerned from the remaining building and neither the inter-war or post-war extensions are of any architectural quality.
- 6.22 The Council's Design & Conservation officer has reviewed the Heritage Impact Assessment and accepts its findings that, in architectural terms, it is considered to make a neutral contribution to the townscape. It is very much a 'one off' in terms of its design and materials and does not relate particularly well to the architecture or character of the surrounding Victorian properties. In particular, the front building line projects beyond that of the attached adjacent Victorian terrace which creates an unsightly junction between properties and exposes a flank wall condition. Likewise, the eaves of the building do not align with the height of the eaves of the adjacent Victorian terrace.
- 6.23 Following several revisions to the scheme during both the pre-application and current application stages, the Council's Design & Conservation officer has raised no objection to the demolition of the Building of Merit and its proposed replacement buildings, subject to a condition requiring the submission and approval of a signed Building Contract for the erection of the replacement buildings in accordance with the planning permission, prior to the commencement of any demolition works. In the absence of such guarantees, the demolition of the existing building would not be acceptable, as otherwise this could result in premature demolition and an unsightly gap in the streetscene.
- 6.24 Given the existing building's lack of architectural significance and limited local historic significance, it is considered that the proposed development, which would result in three new family-sized dwellings – a housing type for which there is an

established need and the high quality of their design in the streetscene - would outweigh the loss of the non-designated heritage asset and the less than substantial harm to the significance of the Conservation Area. Moreover, the building has been substantially altered over time to the extent that it cannot practicably be adapted to retain any historic interest that the building or structure possesses. As such, subject to a condition requiring the existing building being fully recorded prior to its demolition, the proposal is considered to be acceptable and would comply with Key Principle BM2.

- 6.25 Great weight has been given to the preservation of the character and appearance of the Conservation Area as required by s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to the conservation of the significance of the designated heritage asset as set out in para 212 of the NPPF. On balance, the proposal represents a sensitive design response to the surrounding built environment that would optimise the use of a previously developed site and improve the current visual relationship with adjoining sites. As such, the proposed development is in accordance with the NPPF, London Plan Policies D3 and D5, and Local Plan Policies DC1, DC2 and DC8.

### **Basements and Lightwells**

- 6.26 The application proposes basements within the proposed dwellinghouses to provide additional floorspace, including the provision of front and rear lightwells. Similar basement excavations have been approved at nearby neighbouring properties, notably at Nos. 1 (Ref: 2017/02149/FUL) and 3 (Ref. 2017/02146/FUL).
- 6.27 Policy DC11 of the Local Plan (2018) is applicable to proposals for new basements and extensions to existing basements. This specifies that typically, basements will only be permitted where they:
- (a) *Do not extend into or underneath the garden further than 50% of the depth of the host building (as measured from the main rear elevation);*
- 6.28 The excavation would be predominantly contained beneath the footprint of the properties, with the exception of the lightwells into the front and rear gardens. When measured from the main rear elevation, the proposed basements would extend 1m under the rear gardens and, therefore, do not extend into the gardens further than 50% of the depth of the host buildings.
- (b) *Do not extend into or underneath the garden further than 50% of the depth of the garden;*

6.29 The rear gardens measure approximately 6m in length and the proposed rear lightwells would project 1m from the rear elevations. The front gardens measure approximately 2.3m in length and the proposed front lightwells would project 0.8m from the front elevations. The basements would therefore not extend into or underneath the gardens further than 50% of the depth of the gardens.

*(c) Are set back from neighbouring property boundaries where it extends beyond the footprint of the host building;*

6.30 The proposed lightwells beyond the footprint of the host buildings would be set in from the neighbouring property boundaries by between 0.45m and 1.4m. This separation would ensure that suitable potential is retained for planting and that the basements would not overly develop the garden area.

*(d) Do not comprise more than one storey;*

6.31 The proposed basements would be single-storey.

*(e) Do not have an unacceptable impact upon the amenity of adjoining properties or the local, natural and historic environment during and post construction;*

6.32 A Construction Method Statement, prepared by a qualified structural engineer has been submitted as part of the application. Furthermore, given the overall scale and design of the basements, it is considered that the proposed basement excavation works would not result in unacceptable impact to the local, natural or historic environment.

*(f) Are designed to minimise flood risk (from all sources of flooding) to the property and neighbouring properties;*

6.33 The applicant has submitted a flood risk assessment and/or SuDs report as part of this application. The Council's Environmental Policy team have raised no objection, subject to this document being adhered to. On this basis the proposal would not result in an unacceptable impact upon flood risk. Further comments are set out within the flood risk section of this report.

*(g) Include a minimum of 1m of soil above any part of the basement beneath a garden;*

6.34 Given the need for the rear and front lightwells to be open at ground level, the requirement for 1m of soil above these areas would not be practical. Furthermore, given the limited projection of these elements and the presence of existing hardstanding within the front garden, it is considered that they would not unacceptably impact upon the ability to sustain vegetation on the site or beyond the boundary.

*(h) Ensure that the basement helps reduce the volume and flow of surface water run-off through appropriate use of SuDs and will provide active drainage devices to minimise the risk of sewer flooding;*

6.35 The applicant has submitted a flood risk assessment and/or SuDs report as part of this application. The Council's Environmental Policy team have raised no objection, subject to this document being adhered to. Further comments are set out within the flood risk section of this report.

*(i) Ensure that lightwells at the front or side of the property are as discreet as possible and allow the scale, character and appearance of the property and locality to remain largely unchanged;*

6.36 The Council's Supplementary Planning Guidelines requires that front lightwells not exceed 800mm from front to back; reflect the shape of and be limited to the width of, the existing bay window; and that more than 50% of the existing front garden area be retained. The proposed front lightwells would measure 800mm front to back, following the model design for angled bays as set out in Key Principle BL1 of the Planning Guidance SPD. These lightwells would be covered with horizontal metal grilles. Therefore, it is considered these would be sympathetic to the host dwellings and in keeping with the mix of lightwell designs in the area.

6.37 To the rear, aluminium framed sliding doors are proposed. These would match the size and scale of the ground floor rear elevation windows and would be aligned with these fenestration treatments. To the front elevations of the basement a new timber framed single door and timber framed window will be installed. The design and materials would match the rest of the opening, and the new windows will be aligned with the ground floor windows above.

*(j) Are designed to safeguard the structural stability of the existing building, nearby buildings and other infrastructure;*

6.38 A Construction Method Statement (CMS) has been provided. The CMS illustrates that the basement development is designed to safeguard the structural stability of nearby buildings and other infrastructure.

*(k) Provide a Construction Method Statement (CMS) carried out by a qualified structural or civil engineer as part of any planning application;*

6.39 A Construction Method Statement (CMS) has been provided. This was prepared by a qualified structural engineer and demonstrates that the works will be carried out in a suitable manner.

6.40 The above comments are made without prejudice to the outcome of any necessary Party Wall agreements and / or Building Control approvals, which exist outside the remit of planning controls.

- (l) *Provide a construction traffic management plan as part of the CMS to ensure that traffic and construction activity does not cause unacceptable harm to pedestrian, cycle, vehicular and road safety.*

- 6.41 A construction traffic management plan was provided as part of the CMS. The Council's Highway Officer was consulted on the proposals and raised no concerns. On this basis it is considered the proposal would not result in an unacceptable impact on pedestrian, cycle, vehicular and road safety.
- 6.42 Overall, it is considered the proposed basements would not result in an unacceptable impact on the amenities of neighbouring residential properties or the visual amenities of the surrounding area/and would preserve the character of the Conservation Area. The basements would also be acceptable in terms of structural stability, flood risk and highways impacts. Therefore, the basements are compliant with the aims of Policy DC11 of the Local Plan (2018) and Key Principles BL1, BL2 and BL3.
- 6.43 On balance, and for the reasons explained above, Officers consider that the proposed scheme will be a significant and welcome improvement on the condition of the existing property and will enhance the character and appearance of the conservation area. Moreover, Officers have no objection to the proposed demolition of the existing building since it is not of any significance. The development has been designed to a high standard, in particular when compared to the existing building to be replaced. As such, it is considered that the proposal would comply with Sections 16 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the NPPF (2024) and Policies DC1, DC2, DC8 and DC11 of the Local Plan (2018) and Key Principles BL1, BL2, BL3, BM2, CAG1 and CAG2 of the Planning Guidance SPD (2018).

## **7. RESIDENTIAL AMENITY**

- 7.1 Policies DC1, DC2, 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.

[7.2 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.](#)

## **Outlook/Sense of Enclosure**

- 7.3 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.
- 7.4 The properties most affected by the development are the lower ground floor flats at No.720 to 724 Fulham. Although the proposed development would breach a 45-degree line above 2m high on the southeast boundary, the existing building already breaches that standard. It is acknowledged that, at a height of 9.7m, the proposal would be taller than the existing building by approximately 1.6m. However, the proposal has been revised to incorporate a hipped roof on its south-eastern flank to reduce the impact on the opposing rear elevation of the flats at 720 to 724 Fulham Road. This reduced massing to a hip design rather than gabled roof, for the end-of-terrace unit (1C), helps to mitigate the impact on outlook from the rear of those neighbouring properties fronting Fulham Road. In either case based on officers on site judgement the proposals are considered acceptable in this urban setting.
- 7.5 Immediately to the north, is the rear garden of No.718 Fulham Road. The proposed development would result in modest upward projections including the rear first floor outrigger and second floor pod projections to Units 1A and 1B would project above a 45-degree notional angle as measured from the rear boundary. Officers consider that the replacement buildings would not result in a significant loss of outlook or sense of enclosure for No.718 Fulham Road.

## **Privacy**

- 7.6 SPD Housing Key Principle HS7 states that new windows should normally be positioned so that they are a minimum of 18 metres away from existing residential windows as measured by an arc of 60 degrees taken from the centre of the proposed window. In addition, it states that a roof terrace/balcony is unacceptable if it would result in an additional opportunity for overlooking and consequent loss of privacy.

7.7 The southeast elevation of the proposed development does not include any windows. The proposed first floor window on the north-east corner of the development would not serve a habitable area and in either case would be obscure glazed, and this is secured by condition. There are no opposing windows to the north. To the south, on the opposite of Durrell Road there is an existing residential terrace, but the proposed front elevation of the development would be no closer than existing. The proposed development includes no windows in its western flank elevation and would not therefore impact on the adjacent site at No1 Durrell Road.

7.8 Overall, the proposals accord with SPD Housing Key Principle HS7.

### **Noise and Disturbance**

7.9 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'.

7.10 The application site is situated within a residential area. The proposals have been considered the Council Environmental Protection Team, and they raise no objections to the proposals. The residential gardens are consistent with others in the locality and are considered unlikely to harm the existing amenities of adjoining occupiers from additional noise and disturbance. As such, the proposed development is in accordance with Policies HO11, CC11 and CC13 of the Local Plan (2018).

7.11 Regarding noise during the demolition and construction phases, conditions would be attached to secure the submission of details for management plans, to control of nuisance during these phases.

7.12 In general, the proposed residential development would not result in any undue noise impact on residential occupiers. The proposals accord with London Plan D14 and Local Plan Policies CC1 and CC13.

### **Daylight and Sunlight**

7.13 Policy D6 of the London Plan, supported by the Mayor's Housing SPG, seeks to ensure that high quality housing schemes are delivered, which includes

providing sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing, and maximising the useability of outside amenity space.

- 7.14 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.
- 7.15 The British Research Establishment (BRE) guide on 'Site layout planning for daylight and sunlight', set out good practice for assessing daylight and sunlight impacts for new development. In urban and city centre areas, BRE Guidelines advise that the guidance be applied flexibly. The applicant submitted a Daylight and Sunlight Report, which was carried out in line with the BRE, which assesses the potential impacts of the proposed development on daylight, sunlight and overshadowing on existing neighbouring residential buildings. The Daylight and Sunlight Report has been updated following the design alterations which reduce massing along the southeast through the inclusion of a hipped roof rather than a gable roof.

## **Daylight**

- 7.16 The BRE Guidance sets out three different methods of assessing daylight to or within a room, the Vertical Sky Component (VSC) method, the plotting of the no-sky-line (NSL) method and the Average Daylight Factor (ADF) method.
- 7.17 The VSC method measures the amount of sky that can be seen from the centre of an existing window and compares it to the amount of sky that would still be capable of being seen from that same position following the erection of a new building. The measurements assess the amount of sky that can be seen by converting it into a percentage. An unobstructed window will achieve a maximum level of 40% VSC. The BRE guide advises that if the VSC is greater than 27% then enough skylight should still be reaching the window of the existing window. If the VSC is both less than 27% and less than 80% of its former value, occupants of the existing building will notice the reduction in the amount of skylight. However, the Guidance makes clear that these values are advisory and paragraph 2.2.1 states that 'Different criteria may be used based on the requirements for daylighting in an area viewed against other site layout constraints.'
- 7.18 No Sky-Line NSL measures the distribution of daylight within a room. It indicates the point in a room from where the sky cannot be seen through the window due to the presence of an obstructing building. The NSL method is a measure of the distribution of daylight at the 'working plane' within a room. In houses, the 'working



plane' means a horizontal 'desktop' plane 0.85 metres above floor level. This is approximately the height of a kitchen work surface. The NSL divides those areas of the working plane in a room which receive direct sky light through the windows from those areas of the working plane which do not. For houses, the rooms to be assessed should include living rooms, dining rooms and kitchens. Bedrooms should also be analysed, although in terms of NSL they are considered less significant in terms of receiving direct sky light. Development will affect daylight if the area within a room receiving direct daylight is less than 80% of its former value.

7.19 The Average Daylight Factor (ADF) involves values for the transparency of the glass, the net glazed area of the window, the total area of room surfaces, their colour reflectance and the angle of visible sky measured from the centre of the window. This is a method that measures the general illumination from skylight and considers the size and number of windows, room size, room qualities and room use. The BRE test recommends an ADF of 5% for a well day lit space or 2% for a partly day lit space. The minimum standards for ADF recommended by the BRE for individual rooms are 2% for kitchens, 1.5% for living rooms and 1% for bedrooms. However, the BRE guide (Appendix F) states that 'Use of the ADF for loss of light to existing buildings is not generally recommended' and, therefore, the report does not include an ADF assessment.

7.20 Officers have assessed the Daylight and Sunlight submissions which identify 121 windows which serve 8 adjacent properties and of these the most affected are at:

- 720 Fulham Road
- 722 Fulham Road
- 724 Fulham Road

## VSC Assessment

7.21 Of the 121 assessed windows, all but 4 habitable rooms would retain a VSC value greater than 27% and would be reduced by more than 80% of their former values as a result of the proposal.

### No 720 Fulham Road Lower Ground Floor (Window 35)

Although the existing VSC reduces from 18.3% to 12.8% which results in a retained value of 0.70 which is below the 0.8 target, the room served by that window includes three additional roof lights.

### No.722 Fulham Road Lower Ground Floor (Windows 53-55)

Notably the resulting VSC for two of these windows (54 and 55) is marginally below the VSC 0.8 target at VSC 0.76 and 0.79; however, this change would be

imperceptible. However, the resulting VSC for one window (53) would be 0.59 which is below the 0.8.

- 7.22 Whilst officers acknowledge that there are some technical infringements, notably to windows 35 and 53 but it is noted that the BRE guidance is intended to be used flexibly, particularly in dense urban environments. Officers consider that the new building is comparable with the existing massing and the additional depth and height over and above the existing is modest. Overall, the proposed additional massing would have a moderate impact on daylight and sunlight experienced by the closest neighbouring property in Fulham Road, which is not uncharacteristic of the for this urban context.

### **Sunlight**

- 7.23 To assess loss of sunlight to an existing building, the BRE guidance suggests that all main living rooms of dwellings and conservatories should be checked if they have a window facing within 90 degrees of due south. The guidance states that kitchens and bedrooms are less important, although care should be taken not to block too much sun. The Annual Probable Sunlight Hours (APSH) predicts the sunlight availability during the summer and winter for the main windows of each habitable room that faces 90 degrees of due south. The summer analysis covers the period 21 March to 21 September, the winter analysis 21 September to 21 March. The BRE Guidance states a window may be adversely affected if the APSH received at a point on the window is less than 25% of the annual probable sunlight hours including at least a 5% of the annual probable sunlight hours during the winter months and the percentage reduction of APSH is 20% or more.
- 7.24 Of the 121 windows assessed, all but two (windows 36 and 37 on the lower ground floor of No.720 Fulham Road) meet the targets for annual probable sunlight hours (APSH). It is noted that these are roof lights located in a room that is also served by windows 34, 35 and 38, all of which meet the BRE guidance for direct sunlight. Officers have considered the report and concur with the conclusions that the proposal would, on balance, not have a significant impact on neighbouring properties that would be sufficient to withhold planning permission on the grounds of sunlight. Overall, the resulting technical infringements are considered modest in this urban setting.

### **Overshadowing**

- 7.25 BRE guidelines recommend that at least 50% of the area of neighbouring amenity space should receive at least two hours of sunlight on 21 March. If, as a result of new development, an existing garden or amenity area does not meet the above, and the area which can receive two hours of sunlight on 21 March is less than 0.8 times its former value, then the loss of light is likely to be noticeable.

- 7.26 There are 11 amenity areas neighbouring the site which have been considered for Sun Hours on Ground analysis in accordance with the BRE Guidelines. All 11 amenity areas will retain at least 98% of their existing sunlight amenity and therefore would meet BRE guidance for Sun Hours on the Ground.

### **Daylight and Sunlight - Overall Conclusion**

- 7.27 In terms of daylight, sunlight and overshadowing, officers consider that the habitable rooms and neighbouring gardens would, on the whole, retain sufficient access to daylight and sunlight after the development has been constructed would be acceptable having regard to London Plan Policy D6, Policies HO11, DC1 and DC2 of the Local Plan (2018), SPD Housing Key Principle HS7.

## **8. TRANSPORT AND HIGHWAYS**

- 8.1 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.
- 8.2 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'.
- 8.3 Local Plan Policy T2 relates to transport assessments and travel plans and states "All development proposals would be assessed for their contribution to traffic generation and their impact on congestion, particularly on bus routes and on the primary route network". 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.
- 8.4 The above policies are supported by Key Principles TR1, TR4, TR7, TR21 and TR27 of the 'Planning Guidance' SPD (2018).
- 8.5 Local Plan Policy CC7 sets out the requirements for all new developments to provide suitable facilities for the management of waste.

### **Car Parking**

- 8.6 The site has a PTAL of 3, meaning it has good access to public transport. According to Policy T4 of the Local Plan (2018), the council will only consider issuing of permits for on street parking in locations where the PTAL level is considered 2 or lower (TfL's public transport accessibility level). The PTAL

calculator represents the best available tool for calculating public transport accessibility, as such this is the primary method for determining car permit free developments. The site lies within a Controlled Parking Zone. Therefore, to be in accordance with the Local Plan (2018) Policy T4 and The London Plan (2021), the proposed new units must be made car permit free for on-street parking, save for blue badge holders for disabled parking. This would also help reduce poor localised air quality and improve highways safety and condition. This is to be secured through the signing of a Unilateral Undertaking (UU) by the applicant.

- 8.7 The proposal involves the elimination of an off-street parking space within the existing garage, as well as the vehicle crossover providing access to the garage which, in turn, will add one publicly accessible on-street parking space. The removal of the vehicle crossover and reconstruction of the adjacent public footpath will be at the developer's expense and will be secured through a s278 agreement. On this basis, the proposal is not considered to have an unacceptable impact upon the public highway.

### **Cycle Parking**

- 8.8 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, 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.

- 8.9 The development would require the provision of covered, safe and secure storage for 6 bicycles. The proposed plans indicate that each dwelling would include a cycle store within the proposed rear garden area. The submitted Design & Access Statement also confirms that provision for 2 cycle storage spaces can be made for each dwellinghouse. The provision of the required cycle stores will be secured by way of planning condition. Officers consider that this would be sufficient to meet the requirements of Policy T5 of the London Plan.

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

- 8.10 Local Plan Policy CC7 states that new developments, including conversions should aim to minimise waste and should provide convenient facilities for future occupiers. Refuse and recycling facilities have been indicated on the proposed plans within proposed front garden area. The provision of such arrangements is therefore to be secured by condition.

## **Footway Improvements**

- 8.11 The Transport Statement confirms that the proposed development would restrict vehicular access to the site by sealing off the existing crossover and reinstate the public footway along Durrell Road. This is welcomed and would be an improvement to the pedestrian environment and safety. According to SPD Key Principle TR17, the developer will be required to pay for any works that the Council in their capacity as the highway authority has the power to carry out and that are necessary as a result of a new development. The Council will undertake the works on the highway in order to ensure that the works are undertaken to the council's adoptable standards and in order to ensure the disruption to the road network is minimal. The works would be secured via a legal agreement.

## **Demolition and Construction Logistics Plan**

- 8.12 The applicant's Construction Management Plan and Construction Logistics Plan have been submitted and reviewed by the Council's Transport Planning Team. In order to assess and minimise the impact of the demolition/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 conditions securing further details of a final detailed plan, officers consider that the proposals would not unduly impact the nearby highway network during the construction phase.
- 8.13 Overall, there are no objections to the proposals from a transport and highways perspective. Subject to the outlined conditions and legal obligations, the scheme would accord with the relevant policies of the London Plan and the Local Plan.

## **9. ENVIRONMENTAL CONSIDERATIONS**

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

- 9.1 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.
- 9.2 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 paving should be refused and that drainage

should be designed and implemented to address water efficiency, water quality, biodiversity and recreation.

- 9.3 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.
- 9.4 The site is within the Environment Agency's Flood Risk Zone 3 indicating a medium risk of flooding from the Thames. However, it is well protected by flood defences such as the Thames Barrier and local river walls. As required, a Flood Risk Assessment has been submitted with the application and it assesses flood risk from all relevant sources as required, including surface water, reservoirs, groundwater and sewers. The FRA concludes flood from all sources to be very low to low, with the exception of groundwater which is concluded to be very high. This accords with the information in the Council's SFRA and SWMP, which notes that the area is at elevated groundwater flooding risk.
- 9.5 The Council's Environmental Policy – Flood Prevention Team have reviewed the FRA and raised no objection subject to conditions to secure the implementation of the flood resilience and water efficiency measures, including the installation of a green roof, permeable paving, basement waterproofing, return valves and water butts, as outlined in the FRA and to finalise the role of infiltration in managing surface water. Subject to these conditions the scheme is considered to be acceptable on flood risk grounds.
- 9.6 Therefore, the proposed development would accord with London Plan Policies SI12 and SI13 and Local Plan Policies CC3 and CC4.

### **Sustainability / Climate Change**

- 9.7 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 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. Policies CC2 and OS5 of the Local Plan (2018) encourage the enhancement of biodiversity and green infrastructure

and the integration of sustainable design and construction measures all developments, where feasible.

- 9.8 An Energy and Sustainability Statement has been included to support the application which assesses the performance of the proposed development using the procedures set out in 'Energy Assessment Guidance – Greater London Authority guidance on preparing energy assessments (June 2022)' and applies the Mayor's Energy Hierarchy from the London Plan. Passive sustainability measures have been included in the design to increase the energy performance of the development such as in the building fabric, cross natural ventilation, cooling and heating abilities, etc.
- 9.9 The proposal includes zero emission air source heat pumps which will include an air purification function to filter out airborne particles that can pose serious health risks. The proposal also includes solar panels installed on the flat portion of the mansard roofs, water butts and water-efficient fixtures which will help achieve the Council's sustainability goals in terms of climate change, sustainable drainage and renewable energy generation. The quality and durability of materials will be such to ensure the longevity of the newly-built house and reflective of the existing architecture of the neighbourhood. These measures would achieve a 60% reduction in regulated carbon emissions against baseline figures (target emissions rate). Details can be conditioned to ensure these choices do not have any other implications on other aspects of the proposed development
- 9.10 The proposals are therefore considered acceptable with regards to London Plan Policy SI 2 and Local Plan Policy CC1.

### **Trees and Biodiversity Net Gain (BNG)**

- 9.11 Policy OS5 of the Local Plan (2018) 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.
- 9.12 These objectives are further articulated in Key Principle CAG6 of the SPD, which describes how open spaces, trees and streets make a significant contribution to the character and appearance of conservation areas.

- 9.13 The applicant has submitted an Arboricultural Impact Assessment and Tree Protection Plan which indicates that there are two small Elder trees on the subject property proposed for removal to facilitate the development, one Pillar Crab Apple tree along the street in front of the subject property to be retained and protected, and one Walnut tree within the rear garden of the adjacent property at No.718 Fulham Road whose root protection zone has the potential to be impacted by the proposed cycle store in the rear garden of proposed Unit 1A. The report also notes that the rear garden of No.718 Fulham Road contains Pyracantha and Oleander hedges along the shared boundary with the subject property. Whilst this vegetation softens views of the site and provides a vegetated buffer, the report acknowledges that this hedge is not afforded tree protection status.
- 9.14 The report also acknowledges that a large palm (technically a grass, and not a tree) and one large False Acacia tree have both been felled within the rear garden of the subject property within the last few years without the benefit of tree removal permits. Aerial photographs clearly show that the large False Acacia tree, in particular, provided substantial vegetative cover and would have contributed substantially to the character of the surrounding conservation area. The Arboricultural Impact Assessment has valued the removed False Acacia at £13,145 according to the CAVAT (Capital Asset Value for Amenity Trees) Full method. The CAVAT Full Method is a detailed process for assessing the monetary value of individual trees, particularly in conjunction with development proposals. It involves five main steps that adjust a base value based on various factors including the tree's size, location, functional status, amenity factors, and estimated safe life expectancy.
- 9.15 The proposal is required to deliver a 10% gain on biodiversity relative to the pre-development value of the habitat present on-site.
- 9.16 The proposal includes three new trees in the rear gardens of the proposed dwellinghouses which would enable the development to exceed the 10% BNG requirement; however, according to BNG guidance (page 51, The Statutory Biodiversity Metric) trees planted in private gardens cannot be legally secured, as the owner has the right to remove them, notwithstanding any future Tree Protection Orders. In the absence of these three trees, the BNG calculation would be -18%, which is well below the minimum gain.
- 9.17 The Council's Arboricultural and Ecology officers have reviewed the report and have raised no objections to the proposal, subject to conditions that all works are conducted in accordance with the approved tree protection plan, that the replacement trees be maintained within the rear gardens, and that a financial contribution be secured through a legal agreement for the planting of an off-site replacement tree for the felled False Acacia tree.



## **Contamination**

- 9.18 Policy 5.21 of the London Plan and Policy CC9 of the Local Plan states that the Council will support the remediation of contaminated land and that it will take measures to minimise the potential harm of contaminated sites and ensure that mitigation measures are put in place.
- 9.19 Potentially contaminative land uses, past or present, are understood to occur at, or near to, this site. To ensure that no unacceptable risks are caused to humans, controlled waters, or the wider environment during and following the development works conditions are to be attached covering the assessment and remediation of contaminated land.
- 9.120 Subject to conditions the proposed scheme would accord with Policy CC9 of the Local Plan.

## **Air Quality**

- 9.21 Policy CC10 of the Local Plan specifies that the council will seek to reduce the potential adverse air quality impacts of new development. Notably, where a proposal has potential to result in occupants being affected by poor air quality, mitigation measures will be required to mitigate against this. The application site is located within the borough wide Air Quality Management Area (AQMA). The site is in an area of poor air quality due to the road traffic emissions from Fulham Road (A304).
- 9.22 The Council's Air Quality Team were consulted on this application and raised no objection, subject to conditions to secure Demolition and Construction Air Quality Dust Management Plans, Ventilation Strategy, Indoor Air Quality, Zero Emission Heating compliance, Waste Water Heat Recovery System (WWHRS).
- 9.23 Subject to these conditions, officers accept the proposals would comply with Policy CC10 of the Local Plan.

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

### **Mayoral and Local CIL**

- 10.1 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 £TBC (plus indexation).

10.2 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. This development is liable for an estimated CIL of approximately £TBC (plus indexation).

### **S106 Heads of Terms**

10.3 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'.

10.4 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.

10.5 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).

10.6 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.

10.7 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.

10.8 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) Restriction of on-street car parking permits in borough CPZs save for blue badge holders (disabled parking);
- 2) Enter into a S278 Agreement to fund any necessary highway works arising from the development to the footway and crossover on Durrell Road;
- 3) Provision of a Demolition and Construction Logistics Plans, and fund liaison with Local Contractor Co-ordination Group associated with monitoring of the demolition and construction process (£3,000 per annum);
- 4) AQDMP Compliance monitoring of £5000 per annum of the demolition and construction phases of the development;
- 5) Contribution of £13,145 towards local tree planting;
- 6) A commitment to meet the costs of the Council's associated legal fees.

## **11. CONCLUSION**

- 11.1 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.
- 11.2 In the assessment of the application regard has been given to the NPPF, London Plan, and Local Plan policies as well as guidance.
- 11.3 In summary, the proposals would contribute towards an identified housing need and local housing target on previously developed land suitable for residential infill development that would be compatible with the land uses in the surrounding area, which is characterised primarily by residential uses in single dwellinghouses and flats.
- 11.4 The proposal is acceptable in visual terms and is considered to be of a good quality of design which would not adversely impact upon the surroundings. The loss of the Building of Merit has been fully justified and the resulting harm to the significance of the Conservation Area would be outweighed by public benefits including the high quality of design of the replacement buildings and the delivery of new residential units. Subject to conditions, the proposal 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, land contamination and ecology have also been satisfactorily addressed and will be subject to conditions/planning obligations. In these respects, the proposals comply 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) and 'Climate Change' (2023) Supplementary Planning Documents.

11.5 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.

11.6 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.

## **12. RECOMMENDATION**

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