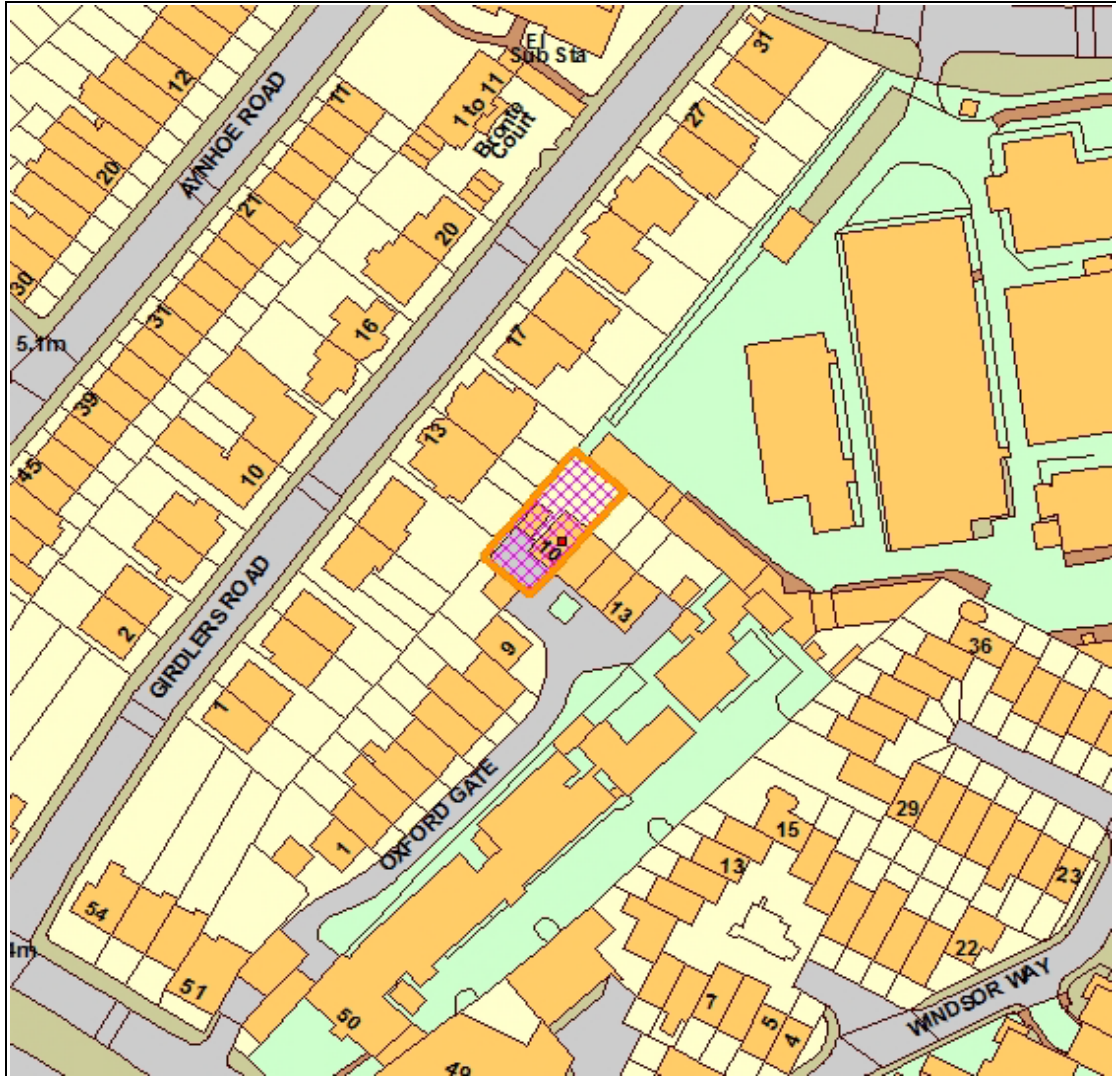

Ward: Brook Green

Site Address:

10 Oxford Gate Brook Green London W6 7DA



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For identification purposes only - do not scale.

Reg. No:

2024/03286/FUL

Case Officer:

Zhirong Li

Date Valid:

05.02.2025

Conservation Area:

Constraint Name: Brook Green Conservation Area
- Number 3

Committee Date:

14.10.2025

Applicant:

Mr Artem Shevaley
10 Oxford Gate Brook Green London Hammersmith And Fulham
W6 7DA

Description:

Erection of a part one part two storey side extension, following the demolition of the existing detached single storey garage; erection of a single storey rear extension; installation of solar pv panels in the front roofslope; installation of 2no. rooflights and removal of an existing rooflight in the side roofslope; installation of 1no. rooflight in the rear roofslope; installation of a new window to replace existing to the side elevation, and erection of a new enlarged dormer window to replace existing dormer window to the rear elevation at second floor level; installation of new French doors to replace an existing window, to the front elevation at first floor level; erection of new balustrade and installation of new French doors to replace existing, to the rear elevation at first floor level; conversion of the existing internal garage at ground floor level into a habitable accommodation, including installation of new windows to the front elevation; infilling an entrance door, to the front elevation at ground floor level to the side of the main entrance door; erection of a replacement side boundary fence; replacement of all windows like for like; installation of an air source heat pump to the side of the proposed part one storey side extension (new garage) and 1.8 high acoustic panels to the north and west of the proposed air source heat pump. (Revised description)

Drg Nos: See Condition 2.

Application Type:

Full Detailed Planning Application

Officer Recommendation:

(1) That the Committee resolve, that the Director of Planning and Property be authorised to grant planning permission subject to the conditions listed below.

(2) That the Committee resolve that the Director of Planning and Property, after consultation with the Assistant Director of Legal Services and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.

Conditions:

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

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

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

-2.100 Rev D, 2.101 Rev D, 2.102 Rev D, 2.103 Rev D, 2.200 Rev D, 2.201 Rev D, 2.300 Rev D, 2.301 Rev D;

- Flood Risk Assessment note (by Cannon Consulting Engineers);
- J 05625 Plant Noise Assessment v1.4 (by Sound Planning Ltd);
- Sempergreen System Build-up Biodiverse Green Roof 0- 5 degrees,
Sempergreen System Build-up Biodiverse Green Roof 20 - 45 degrees,
Sempergreen Maintenance Instructions - Sedum Roofs 0- 20 degrees Roof pitch;
- Daylight, Sunlight and Overshadowing Report (by OSM Chartered Surveyors);
- BS5837:2012 Tree Survey, Arboricultural Impact Assessment & Method Statement (by Indigo Surveys).

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

- 3) The development hereby approved shall be carried out and completed in accordance with the materials details (including colour and finish) specified below:

- Finishes of single storey extension: White stucco render and dark-grey slimline aluminium sliding doors;
- Finishes of first floor extension: Slate tiles to match the appearance of the main roof and timber framed doors and windows;
- Finishes of rear dormer: Clad in lead and timber framed windows;
- Finishes of the garage: Vertical timber planks.
- Balconies: 1.1m high glazed screens and 1.7m high obscure glazed screen.

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

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

- 4) The balconies at the first floor hereby approved shall not be first used until the 1.1m high glazed balustrades and 1.7m high obscure glazed balustrades have been installed as shown on approved drawing nos. 2.102 Rev D, 2.200 Rev D, 2.201 Rev D, 2.300 Rev D, 2.301 Rev D. The 1.7m high obscure glazed balustrade shall set above the finished floor level of the balconies and achieve a minimum level of obscurity equivalent to Pilkington Texture Glass Level 3. The balustrades to the perimeters of the balconies shall thereafter be permanently retained as approved.

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

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

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

- 6) Prior to the occupation of the development hereby permitted, the rooflights at first floor level in the west elevation (as shown on plan ref. 2.201 Rev D) shall be fitted with obscure glass 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. The rooflights shall thereafter be permanently retained as approved.

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

- 7) Prior to the occupation of the development hereby permitted, the rooflights at ground floor level in the west elevation (as shown on plan ref. 2.201 Rev D) shall be fitted with electrically operated blinds. The rooflights and blinds shall thereafter be permanently retained as approved.

To protect the amenities of adjoining occupiers in terms of light pollution in accordance with Policy HO11 of the Local Plan (2018).

- 8) The rooflights to the main roof hereby approved shall be conservation style roof lights and thereafter permanently retained in this form.

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

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

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

- 10) The development shall be carried out and completed in full accordance with the details contained within the approved Flood Risk Assessment (by Cannon Consulting Engineers). No part of the development shall be used or occupied until all flood prevention and mitigation measures have been installed in accordance with the submitted details and the development shall be permanently retained in this form and maintained as necessary thereafter.

To limit the impact on flood risk and mitigate the susceptibility of the development to flooding in accordance with Policies CC2, CC3 and CC4 of the Local Plan (2018).

- 11) No part of the development shall be used or occupied until the green roof have been installed in accordance with the submitted details and the development shall be permanently retained in this form and maintained as necessary thereafter.

To mitigate the risk from flooding within and beyond the site as a result of the development by ensuring adequate attenuation of storm-water run-off during periods of intense and prolonged rainfall, in accordance with policy CC4 of the Local Plan (2018).

- 12) The solar panels to the front roofslope hereby approved shall not protrude more than 15-degrees above the main roof. They shall be at a position as depicted on the approved drawings.

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

- 13) The solar/renewable equipment hereby approved shall, when they are no longer required for renewable energy purposes, be removed from the building and the building restored to its condition before the development took place.

In order to ensure a satisfactory external appearance, in accordance with Policies DC1, DC4, DC8 and HO11 of the Local Plan (2018).

- 14) Prior to installation of relevant plant, details shall be submitted to and approved in writing by the Council, of the external sound level emitted from plant/machinery/ equipment and mitigation measures as appropriate. The measures shall ensure that the external sound level emitted from plant, machinery/ equipment will be lower than the lowest existing background sound level by at least 10dBA in order to prevent any adverse impact. The assessment shall be made in accordance with BS4142:2014+A1:2019 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. The assessment shall be taken into account of the direct line-of-sight propagation from the ASHP to the wall, low-frequency characteristics of the ASHP noise, facade correction factors, if applicable, to reflect potential internal impacts. A post installation noise assessment shall be carried out where required to confirm compliance with the sound criteria and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

- 15) The development hereby permitted shall be carried out in full accordance with the measures and special precautions detailed in the submitted BS5837:2012 Tree Survey, Arboricultural Impact Assessment & Method Statement (by Indigo Surveys). The works hereby approved shall be carried out in full accordance with British Standard BS5837:2012.

The protective measures must include:

- Any excavation within the Root Protection Area of the trees must be done by hand. No roots greater than 25 mm should be severed, any rooted lesser than 25 mm should be done so with a clean and sharp tool.

In order to ensure that no damage occurs to the trees within the site, and that by protecting these trees, their positive contribution to the character and appearance of the Brook Green Conservation Area is preserved, in accordance with Policies DC8 and OS5 of the Local Plan (2018).

- 16) The Air Source Heat Pump (ASHP) shall be installed in accordance with the details on approved drawing Nos. 2.100 Rev D, 2.101 Rev D and 2.301 Rev D prior to occupation of the residential unit. The Air Source Heat Pump (ASHP) shall thereafter be permanently maintained for the lifetime of the development.

In the interest of sustainability and to ensure that the proposed development does not prejudice the appearance of the area or the amenity of neighbouring occupiers in accordance with Policies CC1, CC11, DC1, DC8 and HO11 of the Local Plan (2018).

- 17) 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 all the bathrooms/Shower-rooms of the self-contained dwellinghouse (Use Class C3) shall be submitted to and approved in writing by the Local Planning Authority. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

In order to increase energy efficiency in domestic buildings and to safeguard local air quality in the councils boroughwide air quality management area, in accordance with Local Plan (2018) Policies CC1 and CC10 and the councils Air Quality Action Plan.

- 18) Prior to occupation of the development hereby permitted, details (including manufacturer specification, installation/commissioning certificates and photographic confirmation) of the installed Battery Solar Energy Storage Systems (BSESS) for the self-contained dwellinghouse (Use Class C3) shall be submitted to and approved in writing by the Local Planning Authority. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

In order to increase energy efficiency in domestic buildings and to safeguard local air quality in the councils boroughwide air quality management area, in accordance with Local Plan (2018) Policies CC1 and CC10 and the councils Air Quality Action Plan.

- 19) Prior to occupation of the development hereby permitted, details (including manufacturer specification, location and type, installation/commissioning certificates and photographic confirmation) of the installed active electric vehicle charging point (minimum 7 KW) for off-street car parking space (as shown on drawing no. 2.101 Rev D) shall be submitted to and approved in writing by the Local Planning Authority. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

In the interest of sustainability and to ensure that the proposed development does not prejudice the appearance of the area or the amenity of neighbouring occupiers in accordance with Policies CC1, CC11, DC1, DC8 and HO11 of the Local Plan (2018).

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

- a. Community engagement and liaison to be carried prior to submission of the CLP to inform development of the CLP approach. Details of engagement to be submitted as appendix to the CLP to identify concerns raised by residents and how these are addressed
- b. site logistics and operations
- c. construction vehicle routing
- d. Details of the estimated number, size and routes of construction vehicles per day/week details of the use of Ultra Low Emission Zone (ULEZ) compliant Vehicles e.g. Euro 6 and Euro VI, including vehicles compliant with Direct Vision Standard star rating 3
- e. details of the access and egress arrangements
- f. delivery locations on the site g. details of any vehicle holding areas; and other matters relating to traffic management to be agreed as required
- g. Efficiency and sustainability measures to be undertaken for the works i. membership of the and details on CLOCS compliant site operations
- h. Details of any vehicle holding areas.

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

To minimise the impacts of construction-related vehicle movements and facilitate sustainable construction travel to the site in accordance with Policy T7 of the London Plan (2021) and Policies T1 and T6 of the Local Plan (2018).

21) 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), notwithstanding Schedule 2, Part 3, Class L of the GPDO, the extension hereby approved shall only be used in connection with the remainder of the property as a single dwellinghouse falling within use Class C3 .

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, HO1, HO2, HO4, HO5, HO11 and HO8 of the Local Plan (2018).

Justification for Approving the Application:

- 1) The proposed development consisting of extensions and alterations to the host property are designed to be subordinate and preserve the original architectural appearance of the host building and the wider Oxford Gate development. The proposals would have limited visibility in the local environment and as such would preserve the character and appearance of the Brook Green conservation area. The proposal would respect the principles of good neighbourliness and maintain an acceptable relationship with the neighbouring residential properties, as well as highways/parking and flood risk. The proposed scheme would be in accordance with the statutory requirements of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act, 1990 and would also accord with the NPPF (2024), Local Plan (2018) Policies, DC1, DC4, DC8, OS5, HO11, CC3, CC4, CC11, CC12, CC13, T1 and T4 as well as 'Planning Guidance' SPD (2018) Key Principle HS4, HS6, HS7, HS8 and CAG3.

LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

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

Application form received: 31st December 2024

Drawing Nos: see above

Policy documents: National Planning Policy Framework (NPPF) 2024
The London Plan 2021
LBHF - Local Plan 2018
LBHF – Planning Guidance Supplementary Planning Document
2018

Consultation Comments:

Comments from:

Dated:

Neighbour Comments:

Letters from:

Dated:

Flat 6 13 Girdlers Road London W14 0PS	25.02.25
11 Oxford Gate Brook Green London W6 7DA	28.02.25
15 Girdlers Road London W14 0PS	18.02.25
Flat 1 15 Girdlers Road London W14 0PS	20.05.25
Baddiant Alleyns Lane Cookham Dean SL6 9AE	03.03.25
11 Oxford Gate Brook Green London W6 7DA	19.05.25
Flat 4 Park House London W14 0PS	24.02.25
Flat 6, Park House 13 Girdlers Road London W14 0PS	27.02.25
15 Girdlers Road London W14 0PS	25.02.25
Flat 4 Park House London w14 0ps	27.05.25
Flat 1, Park House 13 Girdlers Road London W14 0PS	24.02.25
Flat 1, Park House 13 Girdlers Road London W14 0PS	24.02.25
flat 1, park house, 13 Girdlers road London W140PS	27.05.25
flat 1, park house, 13 Girdlers road London W140PS	27.05.25
9 Oxford Gate Brook Green London W6 7DA	03.03.25
9 Oxford Gate Brook Green London W6 7DA	22.05.25
15 Girdlers Road Flat 4 LONDON W14 0PS	09.05.25

1.0 SITE DESCRIPTION

- 1.1 The application relates to a two-storey end of terrace property located at the northwestern corner of Oxford Gate, which is a gated site within the Brook Green Conservation Area.
- 1.2 The site lies mostly within Flood Risk Zone 1, with the edge of the site being just on the edge of the Environment Agency's Flood Risk Zones 2 and 3.
- 1.3 There is no relevant planning history.

2.0 PROPOSAL

2.1 The current application is for:

Erection of a part one part two storey side extension, following the demolition of the existing detached single storey garage; erection of a single storey rear extension; installation of solar pv panels in the front roofslope; installation of 2no. rooflights and removal of an existing rooflight in the side roofslope; installation of 1no. rooflight in the rear roofslope; installation of a new window to replace existing to the side elevation, and erection of a new enlarged dormer window to replace existing dormer window to the rear elevation at second floor level; installation of new French doors to replace an existing window, to the front elevation at first floor level; erection of new balustrade and installation of new French doors to replace existing, to the rear elevation at first floor level; conversion of the existing internal garage at ground floor level into a habitable accommodation, including installation of new windows to the front elevation; infilling an entrance door, to the front elevation at ground floor level to the side of the main entrance door; erection of a replacement side boundary fence; replacement of all windows like for like; installation of an air source heat pump to the side of the proposed part one storey side extension (new garage) and 1.8 high acoustic panels to the north and west of the proposed air source heat pump.

3.0 CONSULTATION AND NOTIFICATION

3.1 The application has been advertised by way of site and press notices; in addition, letters have also been sent out to 41 neighbouring properties. The application has been consulted to the public two times; the second re-consultation was due to change to the position of the proposed ASHP unit and the installation of the acoustic panels.

3.2 At the first round of the consultation, a total of 10 representations has been received from 7 properties, their comments are summarised below:

- o Excessive noise
- o Light pollution
- o Loss privacy and overlooking
- o Concern the water runoff
- o Out of keeping with the conservation area and Oxford Gate
- o Loss of parking space and difficult for other cars to manoeuvre
- o Noise concerns with the ASHP

3.3 At the second round of the consultation, a total of 7 representations has been received from 6 properties, their comments are summarised below:

- o Overdevelopment
- o Out of keeping with the conservation area
- o Overlooking and loss of privacy
- o Concerns with the structural stability
- o Noise concerns
- o Overlooking and visually intrusive

3.4 Officers comment:

- o Concerns about structural matters (including foundations) would fall under the scope of Building Regulations, and accordingly would not be a material planning consideration.
- o The proposal's impact upon the character and appearance of the application property and the surrounding area, and the impact on neighbouring amenity (including noise, overlooking and loss of privacy) are assessed within the following report.

3.5 No comments received from external consultees.

4.0 POLICY FRAMEWORK

- 4.1 The Town and Country Planning Act 1990, the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011 are the principal statutory considerations for town planning in England.
- 4.2 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).
- 4.3 In this instance the statutory development plan comprises the London Plan (2021) and the Local Plan (2018). A number of strategic and local supplementary planning guidance and other documents are also material to the determination of the application.

National Planning Policy Framework (December 2024)

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

London Plan

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

Local Plan

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

5.0 PLANNING CONSIDERATIONS

- 5.1 The main planning issues to be considered in this application are:

- o Design & Character
- o Residential Amenity
- o Impact Upon Highways
- o Flood Risk
- o Impact Upon Trees
- o Biodiversity Net Gain

- 5.2 The application is assessed based on the policies, guidance and standards contained within the National Planning Policy Framework (NPPF, 2024), the London Plan (2021), the Local Plan (2018), as well as the 'Planning Guidance' (2018).

DESIGN AND HERITAGE

- 5.3 Section 12 of the NPPF (2024) outlines that development should respond to local character and history and the surrounding environment and setting, whilst not preventing innovation but extends this to recognise a role for change and increased densities. Section 16 of 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 states that economic, social and environmental gains are to be sought jointly and simultaneously in order to deliver positive improvements in the quality of the built, natural and historic environment.
- 5.4 Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states in relation to Conservation Areas that: 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'
- 5.5 Policies DC1 and DC4 of the Local Plan require a high standard of design in all alterations, and that extensions to existing buildings be compatible with the scale and character of existing and neighbouring development and their setting, integrated into the architectural design of the existing building, and subservient in terms of its bulk, scale, materials, and design.

- 5.6 Policy DC8 seeks to protect, restore or enhance the quality, character, appearance and setting of the borough's historic environment including its conservation areas and is supported by Key Principle CGA2 and CAG3 of the 'Planning Guidance' SPD (2018).

+ Single storey side and rear extension and erection of a garage to the front

- 5.7 At the ground floor level, it is proposed to demolish the existing garage to the side the main building and to create a single storey 'L' shaped wrapped around extension, which would extend across the full width of the plot. The extension would extend approx. 3m beyond the rear elevation of the host building, which would be in line with Key Principle HS4 of the 'Planning Guidance' SPD (2018), in terms of its depth and coverage of the rear open space. The proposal would ensure more than 50% of the amenity space to be maintained. It would have a part flat, part pitched roof, with a maximum height of 3.8m and a minimum height of approx. 2m on the boundary shared with Nos. 13 and 15 Girdlers Road. This extension would feature a glazed pitched roof, and the rear of the extension would be finished with white render.

- 5.8 The extension would connect with a new garage to the side front of the building with a glazed box (which serves the utility room). Whilst the garage would project forward of the existing building line, it would set to the corner of the Mews and minimise its prominence. It is noted that No. 9 adjacent has a large two storey extension to the side of the building, the proposed extension here would have a comparable scale and not appear out of keeping. The garage would be finished with timber cladding, with a row of high-level windows to the southern side flank elevation and sectional door to the front elevation.

- 5.9 The overall scale of the proposed ground floor wrap-around extension and garage is considered to be acceptable in this context, as it would sit in reasonable proportion with and be subordinate to the host building, which would not have its setting unduly disrupted and as such, would remain as the dominant structure.

+ First floor side infill extension

- 5.10 At the first-floor level, an extension is proposed above the single storey wrap around extension. The proposed extension would be located to the southern side flank of the host building. It would have a part flat, part pitched roof that continue with the angle of the pitch of the side infill extension. The extension would have 3 no. rooflights which would be partially obscure glazed to prevent overlooking to Nos. 13 and 15 Girdlers Road and a window and door to the rear elevation that connect to a balcony. The balcony would be enclosed with 1.7m high obscure glazed screen to the western side flank elevation and 1.1m high screens to the rear and eastern side flank elevations. Officers note that small balconies are a characteristic feature of the properties within the Mews, which would be in keeping with the character of the surrounding area. The extension would be finished with slate tiles that match the appearance of the main roof.

5.11 The proposed first floor extension is considered to be a congruent and in-scale addition to the host building and there is no objection raised to this element of the proposal.

+ Enlargement of the existing rear dormer and alteration to the existing balcony at the first floor level to the rear elevation and the door access to the balcony

5.12 The application seeks to enlarge the existing rear dormer, the dormer would be the same width as the existing window below. The dormer would contain a timber window as the existing window with fixed panes to the side and a sliding sash to the centre. This would ensure a harmony appearance with the windows below.

5.13 At the first-floor level, the proposal would replace the existing door to the balcony, the new door would match the existing door in timber. The balcony would be slightly enlarged in width and with glazed balustrades.

5.14 Overall, there is no objection to these alterations which would be located to the rear of the building, and are sympathetically designed by taken into account of the original features. These works would have a neutral impact to the appearance of the host building.

+ Installation of 3no. rooflights

5.15 The application seeks to install 1no. rooflight to the rear roofslope and 2no. rooflights to the west roofslope. The proposed rooflights are modest in scale and would have a neutral impact to the overall appearance of the host building.

+ Installation of 6no. solar panels

5.16 The application proposed 6no. solar panels to the front roofslope. There is no objection to this aspect of the proposal would comply with the Council's aims to reduce carbon dioxide emissions across the borough. The use of renewable energy infrastructure is encouraged and welcomed by the Council. A condition would be attached to ensure the angle of solar panels to set flush with the roof where possible to minimise their prominence.

+ Replacement of the garage door and conversion of the garage to a habitable room and the window at the first floor to a door in the front elevation.

5.17 To the front elevation, the application seeks to replace the existing garage door to new window with a similar style, in association with the conversion of garage to a habitable room. The design of the windows is sympathetic to the application property, which is of the same style as the existing door. Officers note there is similar form of development within the Mews, such as No.13 (ref.2024/00845/FUL) which has also converted the garage to a habitable room. As such, the proposed development alteration would be visually acceptable.

+ Installation of an Air Source Heat Pump and acoustic panels

- 5.18 The application proposed an Air Source Heat Pump to the front of the site. The position of the unit has been relocated during the course of the application, which would be located to side of the proposed garage and the neighbouring two storey side addition. There would be two pieces of approx. 1.7m high acoustic panels to reduce the noise from the machine, one panel would align with the western boundary treatment, and one would align with the flank wall of the garage. The acoustic panels would colour match with the timber cladding of the garage.
- 5.19 The Air Source Heat Pump proposed as part of this scheme is considered appropriate domestic measures to help achieve local carbon emissions reduction target and promoting the use of renewable sources of energy in line with the Council's 'Climate Change' SPD. Therefore, the inclusion represents a positive benefit from the scheme in term of reducing reliance on carbon-based energy sources. The proposed unit would be located at a discreet location and the acoustic fences has also been designed to ensure better assimilate into the host building and the proposed extensions.
- 5.20 Overall, it is considered that the proposal would be of an acceptable design, scale and form which would maintain a satisfactory appearance and be respectful of the original architecture of the host property and the Mews. The position property, being within a gated Mews, (itself a more contemporary development within the conservation area), with limited public visibility, together with the design quality and materiality of the proposed extensions and alternations, officers conclude there would be no harmful impact to the of the Brook Green conservation area arising from the development. The character and appearance of conservation area would be preserved. The proposed scheme would be in accordance with the statutory requirements of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act, 1990 and would also accord with the NPPF (2024), Policies DC1, DC4, DC6 and DC8 of the Local Plan (2018) and the relevant Key Principles within the 'Planning Guidance' SPD (2018).

RESIDENTIAL AMENITY

- 5.21 Local Plan (2018) Policies HO11 and DC4 state that extensions and alterations to existing buildings will be considered acceptable where it can be demonstrated that there is no detrimental impact upon the amenities enjoyed by neighbouring properties including privacy, daylight and sunlight, and outlook. This approach is reflected in the 'Planning Guidance' SPD (2018) Key Principles HS4, HS6, HS7 and HS8 which provide further guidance on extensions against enclosure, loss of outlook, loss of privacy, loss of daylight/sunlight and disturbance on neighbouring occupiers.
- 5.22 No.11 Oxford Gate adjoins the application to the east within the same terrace, Nos.13 and 15 Girdlers Road are located to the west of the site with their rear gardens adjoining the side flank boundary of the application site.

+ Daylight / Sunlight

- 5.23 A Daylight & Sunlight Report dated 3rd December 2024 was submitted with the application. The assessment contained in the report was undertaken using the VSC and NSL (daylight) and APSH (sunlight) tests. The report assesses the impacts of the proposal on number of windows/openings at No. 9 Oxford Gate and Nos. 13 and 15 Girdlers Road.
- 5.24 The BRE guidelines state that if the VSC at the centre of a window is more than 27% (or if not, then it is more than 80% of its former value), then the diffuse daylighting of the existing building will not be adversely affected. In terms of daylight, the report concludes that the proposal would achieve daylight VSC values greater than 0.8 times their former value and would therefore meet the BRE criteria for daylight VSC. It also assesses the No Sky Calculations (which should not drop below 80% of its former value), the result of the assessment has shown that all the rooms (habitable and non-habitable) in neighbouring properties would not experience a noticeable reduction in daylight.
- 5.25 In terms of sunlight, the test is intended to be applied to main windows which face within 90 degrees of due south only. The nearest rear elevation windows at No.11 Oxford Gate face within 90 degrees of due north, there is no requirement to assess the sunlight of these windows. With regards to Nos.13 and 15 Girdlers Road, the report states that all 16 windows would meet the BRE's recommendations for sunlight both annually and during the winter months. Officers are satisfied with the submitted assessment.
- 5.26 On this basis, it is considered that there would not be a significant loss of daylight and sunlight to the neighbouring properties.

+ Outlook

- 5.27 The proposed extension on the ground floor would extend along the boundary shared with No.11 Oxford Gate and Nos.13 and 15 Girdlers Road.
- 5.28 No.11 Oxford Gate has two openings to the rear elevation on the ground floor, however none of the openings serve habitable rooms and therefore less sensitive to loss of outlook. In any case, the proposed single storey extension would have a depth of 3m only which is a fairly modest, this would maintain an acceptable relationship between the properties and the sense of openness. The proposed ground floor extension would comply with Key Principle HS4 of the 'Planning Guidance' SPD (2018) in terms of its scale and massing. The proposed ground floor rear extension would not cause any significant disruption to the rear layout and arrangement of the host terrace, and this would ensure that it is not seen as an intrusive and prominent addition when seen from the rear elevation windows of No.11 to significantly affect their outlook.
- 5.29 As the proposed first-floor extension would be set to the side of the main building, it would not be especially visible from rear elevation windows of No.11 to have any impact on the amenity of No.11.

5.30 The proposed ground floor and first floor extensions would be visible from the rear elevation windows of Nos.13 and 15 Girdlers Road, however, due to the position of these properties which is to the west of the application site and their rear elevation windows are approx.10m away, this is considered to be sufficient in mitigating any loss of outlook. Additionally, both the proposed ground and first floor extensions have been designed with 45-degrees slope fall towards the shared boundary with Nos.13 and 15 Girdlers Road, which would limit the bulk of the extensions when viewing from Nos.13 and 15 Girdlers Road, to avoid any loss of outlook from these properties.

+ Privacy and Noise (Balconies / Terraces) -

5.31 Key Principle HS8 of the 'Planning Guidance' SPD (2018) states that to ensure balconies cannot hold large crowds and cause noise nuisance to other surrounding residents, including those on a lower floor to the subject dwelling, balconies should not be greater than 15sqm in size. Key Principle HS7 also requires a minimum separation distance of 18m between windows within a 60-degree arc of proposed windows.

5.32 The proposal would slightly enlarge the existing balcony to the rear at the first-floor level (by 0.3sqm) and replace the balustrades with glazed screens. This balcony would have the same depth as the existing balcony and at the same position being set away from the boundary shared with No.11, however it would be extended lengthways. The total increase to the footprint would be approx.0.3sqm and relatively minor. The views from this balcony would essentially remain as existing due to the similarity in siting and size.

5.33 The proposal would also create another balcony to the rear of the first-floor rear extension. This balcony would have a footprint of approx. 2.6sqm, this is very small in size, it would not be able to accommodate large groups of people and would not give rise to significant noise nuisance. The balcony would be enclosed with 1.1m high glazed screen to the north (rear) and east elevations and 1.7m high obscured glazed screen to the west elevation. Due to the position of the balcony, the views to the nearest rear elevation windows of No.11 would be too oblique to cause significant levels of overlooking, as such lower balustrades would be sufficient, however as the nearest windows to the rear of Nos. 13 and 15 are within 18m of the proposed balcony, the 1.7m high obscured glazed screen would serve to prevent loss of privacy and perceived overlooking towards Nos.13 and 15.

+ Noise and Disturbance (Air Source Heat Pump) -

- 5.34 As previously mentioned, the application includes the installation of an Air Source heat Pump (ASHP) including acoustic screening, and a Noise Assessment (by Sound Planning Ltd) has been submitted as part of this application. The assessment has been reviewed by the Council's specialist noise team who raised no objection subject to further details for noise mitigation measures on sensitive residential receptors, including the family room of No.11. This is due to the close proximity between the external wall of the family room and the proposed unit and the external wall is likely to be acoustically exposed to its operation. On the basis of the attached condition, it is considered that the noise from this unit would be kept to acceptable levels and would not adversely impact upon neighbouring amenity.
- 5.35 Overall, the proposed development would respect the principles of good neighbourliness and maintain an acceptable relationship with the neighbouring residential properties. Subject to conditions, the proposed scheme would not have an unacceptably harmful impact on neighbouring residential amenity in terms of daylight/sunlight, outlook, privacy, noise and disturbance. The proposals would therefore accord with Local Plan Policy HO11, CC11, CC12 and CC13 and Key Principles HS4, HS7 and HS8 of the 'Planning Guidance' SPD (2018).

IMPACT UPON HIGHWAYS

- 5.36 The application site currently has two garages, as the proposal would provide a new garage, there would be a net loss of one garage. However, the site has ample of space to the front of the property which would still allow for at least one car to be parked. Officer's site visit also noted that there are parking spaces near the entrance of the Mews if there are overflows. The loss of the existing garage would not be considered to harmfully exacerbate parking stress or congestion within the surrounding streets.
- 5.37 The access to the front of the property and the existing garages is subject to shared rights of way with Nos.9 and 11, and this existing arrangement would remain. Rights of way are private matters between the properties on this gated site. On balance, , the proposal is not considered to have any detrimental impact upon the safety and operation of the public highways.
- 5.38 The proposal would also include an EV charging point to the front of the building with direct access to the driveway, this element is a fairly modest and discreet addition which would have no design or amenity impacts. The installation of EV charging point would be permitted development; as per Schedule 2, Part 2, Class D of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (as amended). The addition of the EV charging point regardless is supported for its sustainability credentials which aligns with the Council's 'Climate Change' SPD, encouraging small domestic measures to collectively meet the local target for a low carbon future and emissions reduction. It is also beneficial from an air quality perspective by helping to reduce emissions from motor vehicles.
- 5.39 Accordingly, the proposal would be considered to be compliant with Policies T1 and T4 of the Local Plan (2018).

FLOOD RISK

- 5.40 The application site largely lies within Flood Zone 1, with the northwest edge of the site is within the Environment Agency's Flood Risk Zones 2 and 3, and accordingly a flood risk assessment (FRA) has been submitted as required by Policy CC3 of the Local Plan (2018). The FRA concludes that the overall flood risk is low, due to the sites elevated position and the majority of the site being within Flood Zone 1. The proposal would incorporate green roof to the rear extension and garage in addition to permeable paving of the patio and inclusion of a water butt to the rear garden. Officers have reviewed the FRA and raise no objections subject to the measures outlined in the FRA being implemented. A condition is attached to this effect. Accordingly, the proposal is considered sufficient to mitigate against harmfully exacerbating the application site's flood risk and would compliant Policies CC3 and CC4 of the Local Plan (2018).

IMPACT UPON TREES

- 5.41 Local Plan (2018) Policy OS5 seeks to enhance biodiversity and green infrastructure. Planning Guidance SPD (2018) Key principle CAG6 reinstate the importance of trees within the conservation areas and their contribution to the character, appearance, and the local distinctiveness of the area.
- 5.42 There are a total of 5no. trees in close proximity to and within the site, it is proposed to remove a Yew tree and the mahonia shrubs to the front of the plot, all other trees would be retained. An Arboricultural Implications Report has been submitted, including an outlined Arboricultural Method Statement. The submitted information has been reviewed by the Council's Arboricultural Officer and considered to be acceptable, subject to conditions. Subject to the conditions, the proposal would preserve the health and visual amenity of the remaining trees and would not cause harm to the character of the Brook Green Conservation Area in accordance with Policies OS5 of the Local Plan (2018).

BIODIVERSITY NET GAIN

- 5.43 Biodiversity Net Gain (BNG) became mandatory for major development proposals from 12th February 2024 and for minor development proposals from 2nd April 2024.
- 5.44 The current planning application would be considered a minor development. The proposed development meets the definition of Small Scale Self-Build and Custom Housebuilding, and is therefore exempt from BNG. In addition, the proposal has included some urban greening measures including green roofs above the proposed garage and the single storey extension which would increase in green cover, enhance biodiversity and address the urban heat island effect, in line with Council's 'Climate Change' SPD.

6.0 CONCLUSION

- 6.1 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.
- 6.2 The proposed development is acceptable in visual terms and is considered to be of a good quality of design which would not adversely impact upon the character and appearance of the Brook Green Conservation Area. Subject to conditions, the proposals would not result in unacceptable impacts upon the amenities of neighbouring residential properties. Highways, transportation and environmental matters have also been satisfactorily addressed and will be subject to conditions. In these respects, the proposals comply with the relevant policies of the Local Plan (2018) and the relevant Key Principles within the 'Planning Guidance' (2018) Supplementary Planning Document.
- 6.3 Officers have taken account of all the representations received and in overall conclusion for the reasons detailed in this report, it is considered having regard to the development plan as a whole and all other material considerations that planning permission should be granted in line with the recommendations above.

7.0 RECOMMENDATION

- 7.1 The application is therefore recommended for approval, subject to conditions, in line with the recommendations above.