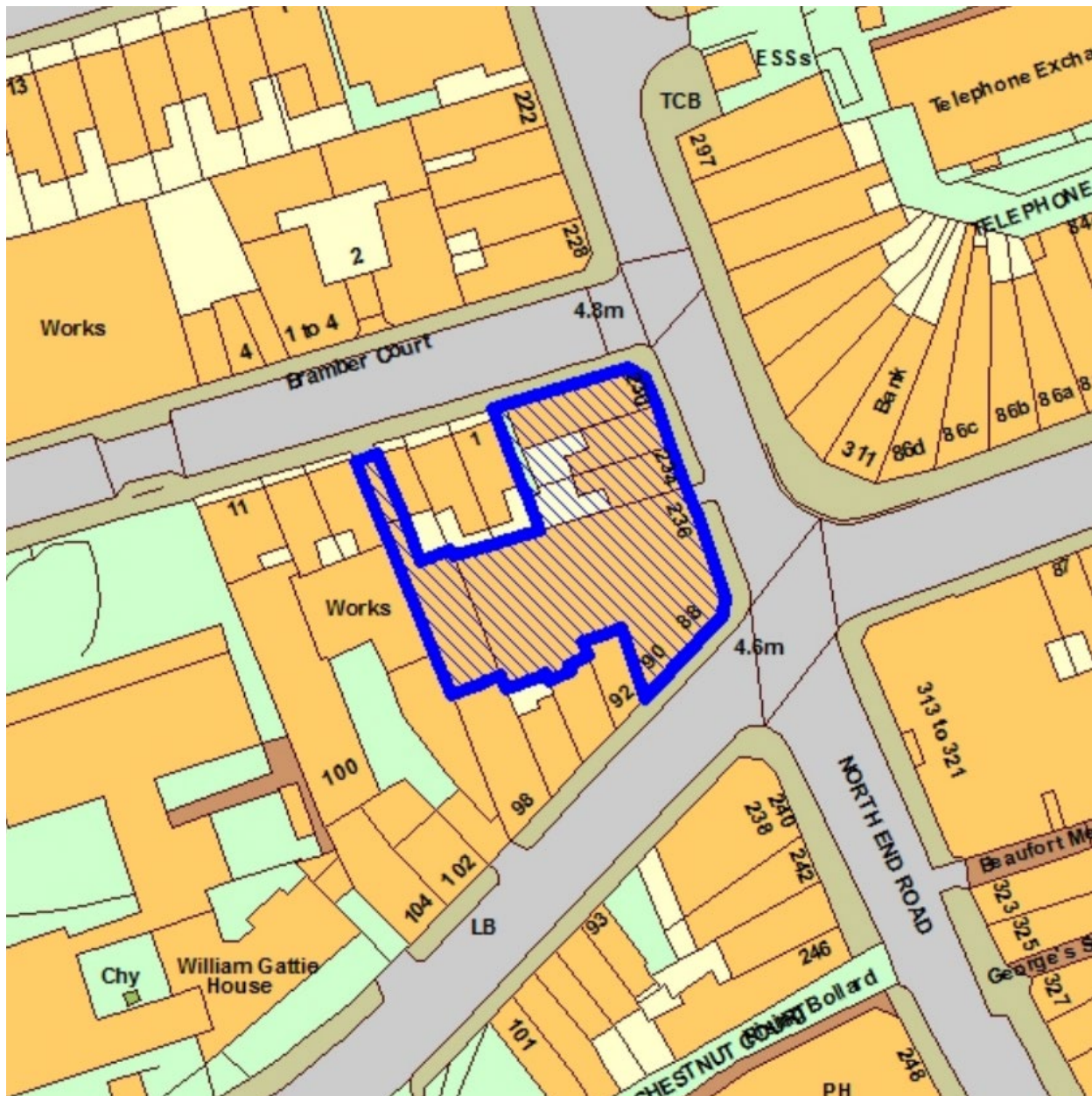


Ward: West Kensington

Site Address:

230-236 North End Road W14 9NU & 88-90 Lillie Road SW6 7SR
London



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For identification purposes only - do not scale.

Reg. No:
2025/00803/FUL

Case Officer:
Christopher May

Date valid:
09.04.2025

Conservation Area:

Committee Date:
14.10.2025

Applicant:
Mr Nader Goles
Life Green LTD
3 Wellesley House
Horton Crescent
Epsom
Surrey
KT19 8BQ

Description:
Replacement of existing garage with 3-storey Apartment building fronting Bramber Road (Apartments 1 and 2); Creation of a new mansard roof extension to form third floor level and partial demolition, conversion and extension of upper floors from vacant offices and 4 Apartments (known as Apartments 230a, 232a, 234a and 5a) to provide 13 Apartments (Apartments 3-15); Demolition of the existing ground floor warehouse, 1st floor apartment at the rear courtyard area and creation of 4 new Apartments comprising ground and first floor plus basement (Apartments 16, 17, 18 and 19); Retention of the existing Turkish Barber retail unit 1 (72.4 sqm), the Jazz Bar (183.42 sqm) and the Gate of Yemen restaurant (110.3sqm) at basement and ground floor levels; 8.08 sqm extension of Jazz Bar to provide a new kitchen extension and new extract system; The addition of 35.89 sqm restaurant and storage area to Gate of Yemen Restaurant taken from the existing No.236a unit and repositioning of the existing external ventilation extract system; and Associated refuse storage, cycle parking, landscaping including green / brown roofs, solar panels and air source heat pumps.

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:

2401004-ERA-XX-XX-DR-A-300 (site plan);
2401004-ERA-XX-B1-DR-A-301 Rev.P1 (basement);
2401004-ERA-XX-01-DR-A-302 Rev.P4 (ground);
2401004-ERA-XX-01-DR-A-303 Rev.P3 (1st);
2401004-ERA-XX-02-DR-A-304 Rev.P3 (2nd);
2401004-ERA-XX-03-DR-A-305 Rev.P1 (3rd);
2401004-ERA-XX-RF-DR-A-306 (roof);
2401004-ERA-XX-XX-DR-A-309 Rev.P2 (el.);
2401004-ERA-XX-XX-DR-A-310 Rev.P3 (el.);
2401004-ERA-XX-XX-DR-A-311 Rev.P3 (el.);
2401004-ERA-XX-RF-DR-A-307 (sect);
2401004-ERA-XX-RF-DR-A-308 (section);
2401004-ERA-XX-XX-DR-A-309 (section);
2401004-ERA-XX-RF-DR-A-315 (section);
2411 BCA XX GF DR L 0001 P08 (ground level landscape);
2411 BCA XX RF DR L 0050 P06 (roof level landscape);
Flood Risk Assessment & Drainage Strategy Rev.P04 received 14 August 2025.
Outline Construction Logistics Plan received 2 April 2025.
Outline Delivery and Servicing Management Plan received 2 April 2025.
Transport Statement received 2 April 2025.
Urban Greening Factor Assessment received 2 April 2025.
Construction Method Statement received 2 April 2025.
Biodiversity Statement & Metric Assessment received 14 August 2025.
Energy & Sustainability Statement received 2 April 2025.

Financial Viability Assessment received 2 April 2025.
Noise Impact Assessment received 2 April 2025.
Fire Strategy Report received 2 April 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) 1:20 Details

Prior to commencement of the development hereby permitted (excluding Ground and Enabling Works), details in plan, section and elevation (at a scale of not less than 1:20) of the following matters have been submitted to and approved in writing by the Council. The development shall be carried out in accordance with the approved details; and permanently retained as such.

- a) exterior cladding and roofing;
- b) new and replacement window details;
- b) gates and railings;
- d) rooftop plant associated enclosures

Reason: To ensure a satisfactory external appearance of the development, in accordance with Policies D3 and HC1 of the London Plan (2021), and Policies DC1, DC4, DC6 and DC8 of the Local Plan (2018).

5) 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.

Details shall include confirmation that all green roof planting will consist of 100% native seed mixes; together with confirmation of the provision of 50% native species associated with all other planting. A planting maintenance plan shall be submitted as part of the details submitted for approval. The landscaping shall be implemented in accordance with the approved details and within the first planting season following first occupation and shall be permanently retained in this form. Any trees, shrubs or planting associated with the soft landscape details that is removed, or seriously damaged, dying, or diseased within five years of the date of planting shall be replaced in the next planting season with a similar size and species to that originally required to be planted.

Reason: To ensure that the new external areas are of an acceptable appearance, to ensure a satisfactory external appearance of the development, and in the interests of urban greening and biodiversity net gain, in accordance with Policies D3, G5 and G7 of the London Plan (2021) and Policies DC1, DC2, OS1 and OS5 of the Local Plan (2018).

6) Preliminary Bat Roost Assessment

Prior to the commencement of the development, an Updated Preliminary Bat Roost Assessment before starting works on the building, should permission be granted. Should any protected species (bats) be found during works, works must be halted and a suitably qualified Ecologist must be consulted.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Policies G1 and G6 of the London Plan (2021), Policy OS5 of the H&F Local Plan (2018) and Schedule 7A of the Town and Country Planning Act 1990.

7) Biodiversity Net Gain (BNG) Plan

The development shall not commence until a biodiversity gain plan has been submitted to, and approved in writing by, the local planning authority. The Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Statement and Metric Assessment dated August 2025 and prepared by MiddleMarch. The biodiversity gain plan must include:

- a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat.
- b) the pre-development biodiversity value of the onsite habitat.
- c) the post-development biodiversity value of the onsite habitat.
- d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development.
- e) any biodiversity credits purchased for the development.
- f) plans of the existing and proposed habitats.

- g) a valid metric calculation attached in excel form, which demonstrates that the minimum 10% objective has been achieved; and
- h) any such other matters as the Secretary of State may by regulations specify.

When calculating the post-development biodiversity value of a habitat, the planning authority can only take into account an increase in biodiversity value post-development where it is satisfied that the habitat creation or enhancements delivering the increase will be maintained for at least 30 years after the development is completed.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Policies G1 and G6 of the London Plan (2021), Policy OS5 of the H&F Local Plan (2018) and Schedule 7A of the Town and Country Planning Act 1990.

8) Biodiversity Net Gain (BNG) Habitat Management and Monitoring Plan

The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan has been submitted to, and approved in writing by, the local planning authority. The HMMP should include:

- a) a non-technical summary;
- b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- d) proposed habitat details including species composition, requirements to reach the condition detailed in the metric, distinctiveness and any additional features such as log piles;
- e) accompanying plans of the site boundary, baseline and proposed habitats, provided in GIS format;
- f) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- g) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.

Notice in writing shall be given to the Council when the HMMP has been implemented, and the habitat creation and enhancement works as set out in the HMMP have been completed. The development hereby permitted shall not be occupied or used before:

- a) the habitat creation and enhancement works set out in the approved HMMP have been completed; and

- b) completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP. Monitoring reports shall be submitted to the local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Policies G1 and G6 of the London Plan (2021), Policy OS5 of the H&F Local Plan (2018) and Schedule 7A of the Town and Country Planning Act 1990.

9) 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. 2401004-ERA-XX-00-DR-A-302 Rev.P4 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.

10) 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. 2401004-ERA-XX-B1-DR-A-301 Rev.P1 and 2401004-ERA-XX-00-DR-A-302 Rev.P4 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).

11) Opaque Windows

The development hereby permitted shall not be occupied until the north-facing first floor window in Unit 18 and the south-facing second floor window in Unit 11 (as shown on drawing nos. 2401004-ERA-XX-01-DR-A-303 Rev.P3, 2401004-ERA-XX-02-DR-A-304 Rev.P3 and 2401004-ERA-XX-XX-DR-A-311 Rev.P3) have 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 windows shall be retained in the form approved.

Reason: 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

Aside from the area labelled 'Terrace' on drawing no. 2401004-ERA-XX-02-DR-A-304 Rev.P4, 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) Secured by Design

Prior to commencement of the development hereby permitted (excluding Ground and Enabling Works), a statement of how 'Secured by Design' requirements are to be adequately achieved shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be carried out prior to occupation or use of the development hereby approved and permanently retained thereafter.

To ensure that the development incorporates suitable design measures to minimise opportunities for, and the perception of crime and provide a safe and secure environment, in accordance with Policy D11 of the London Plan (2021) and Policy DC1 of the Local Plan (2018).

11) 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 no. 2401004-ERA-XX-RF-DR-A-306, 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).

12) 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 & Drainage Strategy Rev.P04 prepared by Lyons | O'Neill Structural Engineers received 14 August 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 green and brown roofs, permeable paving and soft landscaping along with control discharge of stormwater, 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).

13) Basement Waterproofing

Notwithstanding the details in the proposal hereby approved, prior to commencement of the development additional information shall be submitted detailing how the structure of the basement will be waterproofed (such as the provision of a cavity membrane and sump/pump system as part of the waterproofing measures for the basement). Such information shall be submitted to, and approved in writing by, the Council. The scheme shall be implemented in accordance with the approved details prior to first use of the development hereby permitted and thereafter be permanently maintained in accordance with the agreed details.

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).

14) 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 works and thereafter be retained for the duration of the building works. 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).

15) Air Quality Emissions Control and Dust Management – Demolition Phase

Prior to the commencement of the demolition phase (excluding installation of hoarding and MCERTS compliant Particulate (PM2.5, PM10) monitors around the perimeter of the site) of the development hereby permitted, details of an Air Quality Dust Management Plan (AQDMP) in accordance with the Councils AQDMP Template 'A' shall be submitted to and approved in writing by the Local Planning Authority. 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).

16) Air Quality Emissions Control and Dust Management – Construction Phase

Prior to the commencement of the construction phase (excluding installation of hoarding and MCERTS compliant Particulate (PM2.5, PM10) monitors around the perimeter of the site) of the development hereby permitted, details of an Air Quality Dust Management Plan (AQDMP) in accordance with the Councils AQDMP Template 'C' shall be submitted to and approved in writing by the Local Planning Authority. 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).

17) Non- Road Mobile Machinery (NRMM)

Within a minimum of seven days prior to commencement of the enabling works, site clearance or demolition works within each phase of the development hereby permitted, details of the Non-Road Mobile Machinery (NRMM) to be used shall be

submitted to and approved in writing by the Local Planning Authority. The NRMM shall have CESAR Emissions Compliance Verification (ECV) identification and shall comply with the minimum Stage V NO_x and PM₁₀ 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_x and PM. An inventory of all NRMM shall be registered on the London GLA NRMM register GLA-NRMM-Register. Approved details shall be fully implemented and thereafter permanently retained and maintained until occupation of the complete development.

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

18) 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 19 self-contained dwellinghouses (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 aligned Annual Mean Air Quality Targets for Nitrogen Dioxide (NO₂) - 10ug/m³, Particulate (PM₁₀) -15 ug/m³ and Particulate (PM_{2.5}) - 5 ug/m³ are exceeded and where current and future predicted pollutant concentrations are within 5% of these limits. The report shall include the following information:

a) Details and locations of the ventilation intake locations at rear roof level or on the rear elevations of all residential floors;

b) 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;

c) Details of the independently tested mechanical ventilation system with Nitrogen Dioxide (NO₂) and Particulate Matter (PM_{2.5}, PM₁₀) 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_{2.5}, PM₁₀) in accordance with BS EN ISO 10121-1:2014 and BS EN ISO 16890:2016;

d) Details and locations of restricted opening windows (maximum 200mm for emergency purge ventilation only) for all habitable rooms (Bedrooms, Living Rooms, Study) on all residential floors.

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).

18) 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 included in the approved ventilation strategy as required by condition 17 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).

19) 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 (ASHP) to be provided for space heating and hot water for the 19 self-contained flats (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).

20) Indoor Air Quality

Prior to occupation of the development hereby permitted, details (including manufacturer specification, installation/commissioning certificates and photographic confirmation) of the installed electric induction cooking stoves in the kitchens of the 19 self-contained flats (Use Class C3) and Restaurant, and Jazz Bar use (Sui Generis) 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.

21) 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 19 self-contained flats (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).

22) Non-Residential Kitchen Particulate Emissions (PM2.5) Control

Prior to the occupation of the development hereby permitted, details (including manufacturer specification, installation/commissioning certificates and photographic confirmation) of the installed ePM1 90% (F9) particulate filtration for the kitchen ventilation exhaust system for the Restaurant, and Jazz Bar use (Sui Generis) with the extracted air discharged a minimum of 1.5 metre above the finished roof level of the building shall be submitted to and approved in writing by the Council. Approved details shall be implemented prior to the commencement of the use and thereafter be permanently retained.

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).

23) Secondary Mains Electricity Power/Uninterruptable Power Supply (UPS) compliance

Prior to occupation of the development hereby permitted, details (including manufacturer specification, installation/commissioning certificates and photographic confirmation) of Zero Emissions secondary mains electricity power

supply or Uninterruptable Power Supply (UPS) in accordance with BS9999, BS 9991, and BS 7671 for fire and life safety equipment 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).

24) Battery Solar Energy Storage Systems (BSESS)

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 19 self-contained dwellinghouses (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).

25) Ultra Low Emission Strategy

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

- a) Procurement policy and processes for contractors and suppliers that will incentivise and prioritise the use of Zero Exhaust Emission Vehicles in accordance with the emission hierarchy of 1) Walking Freight Trolley 2) Cargo bike (3) Electric Vehicle.
- b) Use of Zero Exhaust Emission Vehicles in accordance with the emissions hierarchy (1) Walking Freight Trolleys (2) Cargo bike (3) Electric Vehicle.
- c) Reduction and consolidation of deliveries and collections e.g., Waste.
- d) Re-timing of deliveries and collections outside of peak traffic time periods of 07:00-10:00 and 16:00-19:00 hrs.
- e) Facilities and measures for 19 self-contained dwellinghouses (Class C3) that will minimise the impact of vehicle emissions from increasing personal deliveries e.g., parcel lockers, concierge, Cargo bike bays.

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

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

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).

26) Aerobic Food Digester (AFD)

Prior to occupation of each relevant phase of the development hereby permitted, details (including manufacturer specification, installation/commissioning certificates and photographic confirmation) of the installed Aerobic Food Digesters (AFD) in the kitchens of the Restaurant, and Jazz Bar use (Sui Generis) to mitigate the impact of air pollution from vehicles associated with the removal of food waste 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).

27) Commercial Kitchen Waste Heat Recovery System (CKWHRS)

Prior to occupation of the development hereby permitted, details (including manufacturer specification, installation/commissioning certificates and photographic confirmation) of the installed Commercial Kitchen Waste Heat Recovery System (CKWHRS) for the kitchens of the Restaurant, and Jazz Bar use (Sui Generis) 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).

28) Deliveries and Collections

At the ground floor commercial use (Class E and Sui Generis) of the development hereby permitted no deliveries nor collections/ loading nor unloading for servicing and maintenance of the development shall occur other than between the hours of 10:00 to 16:00 and 19:00-21:00 on Monday to Friday, 10:00 to 18:00 on Saturdays and at no time on Sundays and Public/Bank Holidays.

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).

29) Absolute internal and external noise criteria for noise sensitive premises

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).

30) Separation of noise sensitive rooms in neighbouring flats

Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of an enhanced sound insulation value $D_{nT,w}$ and $L'_{nT,w}$ of at least 5dB above the Building Regulations value, for the floor/ceiling/wall structures separating different types of rooms/ uses in adjoining dwellings. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by household/neighbour noise transmission to adjoining dwellings at unreasonable levels due to unsuitable layout and arrangement of rooms and communal areas, in accordance with Policies CC11 and CC13 of the Local Plan (2018).

31) Separation of commercial and noise sensitive premises

The sound insulation value $D_{nT,w}$ of the floor/ ceiling/ walls separating the commercial part(s) of the premises from dwellings. Details shall be enhanced by at least 20dB above the Building Regulations value and, where necessary, additional mitigation measures are implemented to contain commercial noise within the commercial premises and to achieve the criteria of BS8233:2014 within the dwellings/noise sensitive premises. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

32) External noise from machinery, extract/ ventilation ducting, mechanical gates, etc.

Prior to commencement of the development, 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 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. A post installation noise assessment shall be carried out where required to confirm compliance with the sound criteria and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: 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).

33) Anti- vibration mounts and silencing of machinery etc.

Prior to commencement of the development, details of anti-vibration measures shall be submitted to and approved in writing by the Council. The measures shall ensure that machinery, plant/ equipment, extract/ ventilation system and ducting are mounted with proprietary anti-vibration isolators and fan motors are vibration isolated from the casing and adequately silenced. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

33) Extraction and Odour Control system for non-domestic kitchens

Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of the installation, operation, and maintenance of the odour abatement equipment and extract system, including the height of the extract duct and vertical discharge outlet, in accordance with Appendix 4G of the LBHF Planning Guidance Supplementary Planning Document - February 2018. Approved details shall be implemented prior to the commencement of the use and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/surrounding premises is not adversely affected by cooking odour, in accordance with Policy CC13 of the Local Plan (2018).

34) 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).

35) 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).

36) 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).

37) 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).

38) 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).

39) 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).

40) 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).

41) 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).

42) PD Rights – Use as Single Dwellings

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

Reason: The use of the properties as houses in multiple occupation rather than as single residential units, 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).

43) Foundation/Piling Layout Plan

No development shall commence until a foundation/piling layout plan clearly indicating the locations of all foundation/piles to be installed on the development site is submitted to and approved in writing by the Council. This plan must show the location and footprint of all basements intended to be constructed as part of the development, the positions of the foundation/piles in relation to Thames Water clean water mains and sewers and local topography such as roads, including road names, existing buildings and/or any other notable features. Thames Water require drawings indicating the location of all piling and the clearance between the face of the pile to the face of a pipe.

Reason: The proposed works will be in close proximity to underground sewerage and water utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage and water utility infrastructure.

44) Piling Method Statement

No piling shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage and water infrastructure, and the programme for the works) and piling layout plan including all Thames Water wastewater assets, the local topography and clearance between the face of the pile to the face of a pipe has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement and piling layout plan.

Reason: The proposed works will be in close proximity to underground sewerage and water utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage and water utility infrastructure.

45) Fire Safety

The development shall be carried out in accordance with the provisions of the Fire Strategy Report prepared by 3Safety received 2 April 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).

Justification for approving application:

1. Land Use: The proposal would achieve a sustainable form of development in accordance with the Council's aspirations for the area and the principle of redevelopment will make effective use of previously under-utilised land by optimising residential use on this brownfield site. The proposed additional residential units would meet local housing demand on a site 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 flats above ground floor commercial uses. The retention of ground floor commercial uses together with the optimisation and net gain in housing supply is 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 19 self-contained flats ranging from studios to 2 bedrooms that would meet minimum floorspace requirements, including some with 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 underutilised land. It is considered that the proposed development would be compatible with the character and appearance of the surrounding area in terms of its height, mass, form, detailed design and materiality. The harm to

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 new and replacement dwellings and the improvement of the ground floor commercial 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 19 self-contained flats which will benefit from very good public transport links in this area. Adequate provision for the storage and collection of refuse and recyclables would be provided. The existing vehicular crossover on North End Road will 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 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. Please see our webpage for further details: Demolition notices | London Borough of Hammersmith & Fulham (lbhf.gov.uk)
- 6) 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.

- 7) Copies of the councils AQDMP templates can be requested quoting the planning reference number and postal address of the development site by e-mail to: constructionairqualitymonitoring@lbhf.gov.uk.
- 8) Environment Agency - Flood resistance and resilience
We strongly recommend the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings, and special construction materials are just some of the ways you can help reduce flood damage. To find out which measures will be effective for this development, please contact your building control department. If you'd like to find out more about reducing flood damage, visit the Flood Risk and Coastal Change pages of the planning practice guidance. Further guidance on flood resistance and resilience measures can also be found in:

Government guidance on flood resilient construction

<https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>

CIRIA Code of Practice for property flood resilience

https://www.ciria.org/CIRIA/Resources/Free_publications/CoP_for_PFR_resource.aspx

British Standard 85500 – Flood resistant and resilient construction

<https://shop.bsigroup.com/ProductDetail/?pid=000000000030299686>

9) Environment Agency - Water Resources

Increased water efficiency for all new developments potentially enables more growth with the same water resources. Developers can highlight positive corporate social responsibility messages and the use of technology to help sell their homes. For the homeowner lower water usage also reduces water and energy bills. We endorse the use of water efficiency measures especially in new developments. Use of technology that ensures efficient use of natural resources could support the environmental benefits of future proposals and could help attract investment to the area. Therefore, water efficient technology, fixtures and fittings should be considered as part of new developments.

All new residential developments are required to achieve a water consumption limit of a maximum of 125 litres per person per day as set out within the Building Regulations &c. (Amendment) Regulations 2015. However, we recommend that in areas of serious water stress (as identified in our report Water stressed areas - final classification) a higher standard of a maximum of 110 litres per person per day is applied. This standard or higher may already be a requirement of the local planning authority.

10) Thames Water – Groundwater Risk Management Permit

If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing trade_effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

11) Thames Water – Surface Water Drainage

Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://www.thameswater.co.uk/help/home-improvements/how-to-connect-to-a-sewer/sewer-connection-design>

12) Thames Water – Working Near Underground Infrastructure

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities or inhibit the services we provide in any other way.

Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes> Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

13) Thames Water – Water Pressure

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx.. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

14) Thames Water – Water Mains During Construction

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at [thameswater.co.uk/buildingwater](https://www.thameswater.co.uk/buildingwater).

15) London Heliport – Cranes

If cranes are required as part of the installation of the equipment, the applicant will need to liaise directly with the Heliport in accordance with current Civil Aviation Authority guidelines (<https://www.caa.co.uk/commercial-industry/airspace/event-and-obstacle-notification/crane-notification/>) and CAP1096 (<https://caa.co.uk/cap1096>). A permit would then be required from the London Heliport once notification has been received from the CAA.

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

All Background Papers held by case officer named above:

Application form received: 19th March 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:	Dated:
Metropolitan Police Crime Prevention	03.06.2025
Thames Water	23.04.2025
TfL	18.06.2025
Environment Agency	17.04.2025
Active Travel England	17.04.2025
London Heliport	17.04.2025

Neighbour Comments:

Letters from:	Dated:
Flat A 11 Chesson Road London W14 9QR	29.04.2025
92 Lillie Road London SW6 7SR	12.05.2025

1. SITE DESCRIPTION AND HISTORY

- 1.1 The application site includes a group of Victorian buildings at the junction of North End Road and Lillie Road. Nos.88-90 Lillie Road and 236 North End Road comprise three-storey buildings with a 'retail' unit at ground floor, vacant offices above and self-contained flats.

- 1.2 Nos. 230-234 North End Road is also a three-storey building and is located on the corner of North End Road and Bramber Road. The site is occupied by two retail units at ground floor level with 3 self-contained maisonette flats above.
- 1.3 The site does not lie within a Conservation Area; however, Nos. 88-90 Lillie Road and 236 North End Road is included on the Council's Local Register of Buildings of Merit.
- 1.4 The site is located within the Environment Agency's Flood Risk Zone 2. It is also within Fulham Town Centre and the Fulham Regeneration Area and.

Relevant Planning History

- 1.5 In 2012, a planning application (ref: 2012/02910/FUL) was withdrawn from consideration for a redevelopment of the site involving the erection of a five storey (plus basement) building with commercial uses at ground and basement levels, and 9 self-contained flats at first, second, third and fourth floor levels.
- 1.6 In 2016, planning permission (ref: 2016/03539/FUL) was refused for the demolition of No. 230-234 North End Road and the erection of a part one, part two, part three and part four storey mixed use building comprising of Builder's Merchants use (Sui Generis) at ground floor (with ancillary areas to the rear at ground and first floor level and at basement level) and 5 self-contained residential flats at first, second and third floor levels, and the erection of an additional floor and two storey rear extension at first and second floor level at No. 88-90 Lillie Road and 236 North End Road in connection with the provision of 2 self-contained units. The application was refused on the grounds that proposed Builder's Merchants use would generate unacceptable number of deliveries requiring heavy goods vehicles to access the site.
- 1.7 In 2024, prior approval was granted (2023/02559/PMA56) at Nos.88-90 Lillie Road for a change of use of the first and second floor level from offices to 5 self-contained flats.

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 June 2024 and September 2024. Officers raised no objections subject to the pre-application scheme subject to additional information being provided, 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 has provided a statement of community involvement indicating that in March 2025, 44 letters were sent out to neighbouring properties in Noth End Road, Lillie Road and Bramber Road. The letters described the proposals and providing links to proposed drawings.

Statutory Consultation

- 2.3 The application was publicised by site and press notices. Individual notification letters were also sent to 354 neighbouring addresses. In response, 2 letters were received raising the following objections:

- Loss of 20th century urban vernacular architecture, impact on character of uniform roofline along Bramber Road.
- Loss of sunlight, daylight and privacy to properties fronting Chesson Road.
- Many children's bedroom windows on south elevation of Chesson Road; residents advised doorbell cameras not permitted due to proximity of school.
- Loss of sunlight and daylight to the first/ second floor flats fronting Lillie Road.
- Roof of existing building within interior of the site which is to be demolished is at same level as first floor roof terrace at 92A Lillie Road which acts as a fire escape. Removal of this building would create potentially serious safety issues.

- 2.4 Officers comments:

Comments regarding children's bedroom windows and the proximity of a school are noted. An assessment of impacts on privacy of adjacent properties as a result of new windows is addressed in the body of this report.

Fire safety access is covered separately by alternative Building Regulations rather than planning.

All the relevant concerns which constitute a material planning matter, including design, visual amenity and impacts on neighbouring residential amenity 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 (2024)

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

The London Plan (2021)

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

The Local Plan (2018)

- 3.7 The Council Local Plan was adopted on 28 February 2018. The policies in the Local Plan together with the London Plan make up the statutory development plan for the borough. The 'Planning Guidance' (February 2018) and 'Climate Change' (October 2023) Supplementary Planning Documents (SPDs) are also material considerations. These provide supplementary detail to the policies and are organised around key principles.
- 3.8 With regard to this application, all planning policies in the National Planning Policy Framework (NPPF, 2024), 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 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 application site is located within a mixed-use area characterised primarily by residential flats above ground floor commercial uses and would result in a net gain of 15 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 0.09 hectares in size and therefore represents a small site for the purpose of this policy.
- 4.4 The proposal would provide 19 residential units and would make efficient use of this small site. The proposals therefore 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 5 x studios, 5 x 1-bed, and 9 x 2-bed units is considered to represent an appropriate housing mix in this Town Centre location, where a higher proportion of smaller non-family sized units is acceptable due to site constraints. Overall, the proposed scheme would accord with Policy HO5 of the Local Plan.

Loss of employment use

- 4.6 The overriding emphasis in both national and local policy is to enable increased provision for new housing, albeit not at the expense of existing economic activity.
- 4.7 Local Plan Policy E2 asserts that the Council will require the retention of land and premises capable of providing continued accommodation for employment or local services. Permission will only be granted for a change where continued use would adversely impact on residential areas; or an alternative use would give a demonstrably greater benefit that could not be provided on another site; or it can be evidenced that the property is no longer required for employment purposes.
- 4.8 The site is located within Fulham Town Centre Fulham and the Regeneration Area which benefits from a high level of public transport accessibility due to the four London Underground stations within or near to its boundary. This high level of public transport accessibility, together with the facilities and services in the Fulham Town Centre provides the opportunity for the delivery of a substantial number of new homes and jobs.
- 4.9 The proposal involves the conversion of the existing office space (366 sqm) on the first and second floors at Nos. 88-90 Lillie Road and 236 North End Road, which have been vacant since May 2023. Although no marketing study has been provided, the proposals optimise the redevelopment via a net gain of 15 on site residential units which makes a significant contribution to the borough's housing supply. This is a demonstrably greater benefit than the existing uses on the site. In this case, the loss of office space is considered acceptable.
- 4.10 The proposal also involves the retention and extension of the existing ground floor commercial premises, which would allow the existing retail tenants to enhance their operations in this Town Centre location.
- 4.11 On balance, given that the existing offices have been vacant for some time, and that the conversion to residential use has been established through the recent

prior approval, the proposed change of use to residential in this instance is considered acceptable.

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 1: 2-bed, 3 Person, 2 Storey: 70sqm - complies (70sqm minimum)
 - Unit 2: 1-bed, 1 Person studio, 1 Storey: 29sqm – does not comply (37sqm minimum)
 - Unit 3: 2-bed, 3 Persons, 2 Storey: 79sqm - complies (70sqm minimum)
 - Unit 4: 2-bed, 4 Persons, 2 Storey: 88sqm - complies (79sqm minimum)
 - Unit 5: 2-bed, 4 Persons, 2 Storey: 75sqm – does not comply (79sqm minimum)
 - Unit 6: 1-bed, 2 Persons, 1 Storey: 50sqm - complies (50sqm minimum)
 - Unit 7: 2-bed, 3 Persons, 1 Storey: 61sqm - complies (61sqm minimum)
 - Unit 8: 2-bed, 3 Persons, 1 Storey: 65sqm - complies (61sqm minimum)
 - Unit 9: 1-bed, 2 Persons, 1 Storey: 50sqm - complies (50sqm minimum)
 - Unit 10: 2-bed, 3 Persons, 1 Storey: 81sqm - complies (61sqm minimum)
 - Unit 11: 2-bed, 3 Persons, 1 Storey: 63sqm - complies (61sqm minimum)
 - Unit 12: 1-bed, 1 Person studio, 1 Storey: 50sqm - complies (37sqm minimum)
 - Unit 13: 1-bed, 1 Person studio, 1 Storey: 43sqm - complies (37sqm minimum)
 - Unit 14: 2-bed, 4 Persons, 1 Storey: 77sqm - complies (70sqm minimum)
 - Unit 15: 1-bed, 2 Persons, 1 Storey: 65sqm - complies (50sqm minimum)

- 5.6 Unit 5 would be 4sqm below the minimum floor space target of 70sqm for a 2-storey, 2-bed, 2-person flat. Officers consider that the overall size and layout of this unit has been optimised based on the physical constraints of the site. In this case, the proposed unit would provide an adequate level of internal space for future occupiers, which on balance is considered acceptable.

	Unit 10	Unit 11	Unit 12	Unit 13	Unit 14	Unit 15	Unit 16	Unit 17	Unit 18	Unit 19
Living/Kitchen/Dining	27.2	26.9	32.9	31.4	26.9	29.6	n/a	n/a	32.3	31.6
Kitchen	n/a	n/a	n/a	n/a	n/a	n/a	9.9	9.3	n/a	n/a
Living/Diner	n/a	n/a	n/a	n/a	n/a	n/a	13.1	13.1	n/a	n/a
Main Bedroom	17	11.5	n/a	n/a	15.7	12.7	11.5	15.5	n/a	n/a
Main Bathroom	5.9	4.7	4.3	4	5.8	5.8	5.1	4.2	4.8	4.8
Double Bedroom 2	n/a	n/a	n/a	n/a	12	n/a	n/a	n/a	n/a	n/a
Single Bedroom 2	9.1	8	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a

- 5.8 With the exception of the 3 bathrooms in Units 2, 5 and 7, and 2 living/dining rooms in Units 16 and 17, all the rooms meet minimum standards as outlined in Key Principle HS3. The size of the three aforementioned bathrooms fall marginally below the minimum recommended size of 3.7sqm and are laid out in a logical arrangement. As such, officers consider these bathrooms to be acceptable. The two living/dining rooms in Units 16 and 17 fall short of the target 14 sqm by less than 1sqm and officers note that these units also include a generous secondary “cinema/playroom” 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.
- 5.9 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.
- 5.10 The proposal includes approximately 17-18sqm of external amenity space for Units 16 and 17 within private rear gardens, and a small, enclosed roof terrace for Unit 3 at second floor level. Otherwise, the remaining dwellings do not have access to private amenity space; however, the proposal includes a landscaped central courtyard measuring approximately 70sqm. The constrained site does not lend itself to the provision of private amenity space for all the units, particularly on the upper floors. Given that the site is within walking distance of the public amenity space at Normand Park, in this case, the provision of external amenity space is considered acceptable. On balance, considering site constraints and the proximity of Normand Park, the proposals are in general accordance with London Plan Policy D6 and Local Plan HO11 and SPD Key Principle HS1.

Outlook and Daylight to Habitable Rooms

- 5.11 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.

- 5.12 All of the proposed units, aside from Units 6, 8, 9 and 11, would be dual aspect. Units 6 and 9 feature between three and four large east-facing windows overlooking North End Road and Units 8 and 11 each feature three large west-facing windows overlooking the central courtyard.
- 5.13 The applicant's Daylight and Sunlight Assessment has assessed 42 windows serving habitable rooms across the development and concludes that 83% comply with the BRE guidance for daylight amenity. In total, just 7 rooms would fail to comply; four of these are within combined living/kitchen/dining rooms and three serve bedrooms. The living/kitchen/dining rooms have been designed so that the living area is located closest to the windows, with the kitchens towards the rear of the room and are designed to be predominantly artificially lit. Officers acknowledge that minimum BRE guidelines for daylight could be achieved within these spaces by compartmentalising the combined living/kitchen/dining rooms to reduce the sizes of the rooms; however, the resulting layout would reduce the functionality of these rooms, thereby creating less desirable internal living conditions.
- 5.14 The illuminance modelling within the Daylight and Sunlight Assessment adequately demonstrates adequate daylight levels throughout the development and, where the guidance is not strictly met, the majority of living areas would receive acceptable levels of daylight, particularly in the context of the constrained site's location within a dense urban environment. Overall, officers are satisfied that the vast majority of the habitable rooms within the units have been designed to benefit from windows which would provide suitable levels of daylight and outlook.
- 5.15 Likewise, the BRE guidelines recommend that at least one habitable room in a dwelling (ideally a main living room) should receive at least 1.5 hours of direct sunlight on 21 March. Of the 19 proposed units within the development, 17 have windows that the BRE guidelines suggest should be tested for sunlight amenity. Of the 17 flats, 14 would meet this guideline. Officers consider that the proposal has been adequately designed to minimise the number of flats with north facing windows, thereby resulting in a high level of compliance, particularly in this dense urban location. As such, it is considered that the future occupiers of the flats will receive acceptable levels of sunlight.
- 5.16 The Nationally Described Space Standards (NDSS) specify that the minimum finished floor-to-ceiling height should be 2.3m for at least 75% of the gross internal area. This was superseded by London Plan (2021) Policy D6 which requires that the minimum floor to-ceiling-height must be 2.5m for at least 75 per cent of the Gross Internal Area of each dwelling.

- 5.17 The proposed sections indicate that the NDSS standards would be met in all the units; however, Units 3-5, and 12-19, which would all feature floor-to-ceiling heights of at least 2.3m, would not strictly comply with the standard set out in London Plan policy D6. Officers acknowledge that there are inherent structural constraints in converting existing Victorian properties and that some flexibility is warranted in such situations. Likewise, although some of the proposed units would be located in newly constructed buildings or extensions to existing buildings, it is considered that reduced ceiling heights in these units would be acceptable as these units have been designed to minimise the proposal's impacts on neighbouring residential amenity and to reduce the level of harm caused to the local Building of Merit. On this basis, officers raise no issues with the quality of residential accommodation with specific regards to ceiling height.

Noise and Disturbance

- 5.18 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.
- 5.19 To a safeguard the amenity of future occupiers, conditions would be attached to ensure that the noise level in rooms within the development do not exceed acceptable levels and that the dwelling units are adequately insulated from noise from adjacent units and the commercial premises on the ground floor. Subject to these conditions, the development accords with Policies HO11, CC11 and CC13 of the Local Plan (2018).
- 5.20 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).

Privacy Between Proposed Units

- 5.21 Officers raised concern about the level of privacy afforded to ground floor windows which includes bedrooms adjacent to the communal area within the courtyard and next to the shared walkway providing access to the lift and stairwell behind the proposed new building fronting Bramber Road. To mitigate this, the area in front of the windows and lightwells serving Units 16 and 17 within the courtyard will be planted with substantial landscaping, so as to provide a physical buffer and limit the opportunity of overlooking from passers-by. Additional proposed landscaping in front of the rear-facing window in the building fronting Bramber Road would provide some natural screening and

obscure glazing is proposed for the lower portion to mitigate potential opportunities for overlooking. Overall, officers consider that the proposed layout is satisfactory.

Secured by Design

5.22 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.

5.23 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.

5.24 Subject to conditions, the proposed development accord with London Plan Policy D11 and Local Plan Policy DC1.

Fire Safety

5.25 Policy D12 of the London Plan states that 'all development proposals must achieve the highest standards of fire safety'.

5.26 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.

5.27 Pursuant to London Plan Policy D12, the application has included a Fire Strategy Report 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.

5.28 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) 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 it

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 The site does not lie within a Conservation Area; however, the building at 88-90 Lillie Road and 236 North End Road is included on the Council's Local Register of Buildings of Merit.

6.14 At roof level above Nos. 88 Lillie Road & 236 North End Road and Nos.230-234 North End Road, it is proposed to erect an additional floor at third floor level, which would run the full length of the application site. The additional floor would be contained within a zinc-clad mansard roof form, wrapping around the North End Road, Lillie Road and Bramber Road elevations and a portion of the rear elevation, and would include dormer windows to align with those on the floors below. Such mansard roof extensions are not uncommon in the area, with a similar development having been approved at No.313-321 North End Road (2011/03068/FUL). It is therefore considered that the additional floor would not be out of keeping with the existing pattern of development. The Council's Urban Design and Conservation Team has reviewed the proposals and acknowledge that, whilst the additional floor would result in some harm to the existing Building of Merit, the harm would be less than substantial and would be outweighed by the public benefits in the form of much needed additional housing.

6.15 The application also proposes a two-storey extension above the existing two-storey building at No.90 Lillie Road. The extension would infill a gap between the existing 4-storey building at No. 92 Lillie Road and the extended corner building at

No.88 Lillie Road & 236 North End Road. The proposed additional floors would extend towards the rear and would join with rear extensions to the buildings fronting North End Road. The second floor would be clad in stock brick to match the existing and the third floor would be contained within a zinc-clad mansard roof form to match that of the adjacent buildings. Such is form of development is found within the immediate existing pattern of development, with the building at No.90 being an outlier in that it is currently only two stories in height and with a flat roof. As such, it is considered that the proposed extensions at No.90 would be in keeping with the existing character and appearance of the area.

- 6.16 On the Bramber Road frontage, it is proposed demolish the existing one-storey garage building and erect a 3-storey, flat-roofed building containing two new residential units. The proposed new building would be clad in stock brick with aluminium framed windows set within extruded stone surrounds on the front elevation. The two units would be accessed by a timber door and the ground floor window of Unit 1 would be set back from the edge of the pavement and separated by a metal railing to provide some defensible space. The Council's Design & Conservation officer has reviewed the proposals and raised no objection, on the basis that the scale of the proposed infill building would act as an appropriate transition between the extended 4-storey building on the corner and the adjacent 3-storey building at No.1 Bramber Road.
- 6.17 At ground floor level, a new entrance is proposed to the flats on the Lillie Road elevation. The entrance has been designed to imitate the existing shopfronts along the street by incorporating fully glazed dark aluminium framed doors. The design of the new entrance would therefore be in keeping with the existing pattern of development.
- 6.18 Also at ground floor level, the application proposes four sets of painted metal gates; two on the Bramber Road frontage and one on the North End Road frontage providing pedestrian access to the central courtyard and to the cycle and bin storage areas, and one on the North End Road frontage to provide access to the existing Gates of Yemen restaurant. The proposed painted metal gates are consistent with the materials found elsewhere in the surrounding area and, as such, are acceptable alterations.
- 6.19 Within the central portion of the site, the application proposes to demolish an existing part one, part two-storey warehouse building at ground floor level and first floor flat above and erect a two-storey-over-basement building containing four flats. The proposed new building would be clad in stock brick with aluminium framed windows and would be more modern in appearance than the traditional Victorian terraces that surround the property. This part of the development would not be readily visible within the streetscene. The proposed replacement building would only be visible from the rear of properties fronting Bramber and Lillie Roads

and would be no taller than the existing building to be demolished. Given that the existing building to be demolished is also a brick building with a more utilitarian, flat-roofed form, it is therefore considered that the proposed replacement building would not have a significant impact on the existing character and appearance of the area.

- 6.20 The application also proposes one, two, three and four-storey brick-clad extensions to the rear of the buildings fronting North End Road to facilitate the expansion of the ground floor commercial uses and to house two new stairwells and lifts providing access to the residential units. The extensions would be stepped such that the bulk would be concentrated at lower levels, which would be considered to respect and be subservient to the existing application buildings and their surroundings.
- 6.21 Whilst sympathetic to neighbours concerns regarding the increase height, scale and mass of the proposed roof extensions, as well as the proposed infill building on Bramber Road, officers consider that the proposed development has been sensitively designed and is therefore considered to be acceptable. The proposed extensions and new buildings would be of an appropriate mass and scale, being similar to others along the streetscene and would feature materials compatible with those in the surrounding area.
- 6.22 The application also proposes to refurbish the remaining street-facing elevations, including replacement aluminium framed windows.
- 6.23 Great weight has been given to the conservation of the significance of the non-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

- 6.24 The application proposes basements beneath the proposed dwellinghouses within the centre of the site provide additional floorspace, including the provision of two front lightwells and one side lightwell. Due to their location within the center of the site, the proposed lightwells would not be visible from the public domain. A similar basement excavation has been approved at the nearby neighbouring properties at Nos. 8A And 10 - 12 Bramber Road (Ref: 2013/04745/FUL).
- 6.25 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);*
- 6.26 The excavation would be predominantly contained beneath the footprint of the buildings, except for the lightwells central courtyard area. When measured from the main rear elevation, the proposed basements would extend no more than 1.7m under the central courtyard 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;*
- 6.27 The proposed lightwells would project 1.7m from the front elevations and 0.7m from the north side elevation. 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;*
- 6.28 The proposed lightwells beyond the footprint of the host buildings would be set in from the neighbouring property boundaries by between 0.25m on the south side and 0.6m on the north side. 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;*
- 6.29 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;*
- 6.30 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;*
- 6.31 Given the need for the front and side 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 central courtyard, 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;*
- 6.32 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;*
- 6.33 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 1700mm front to back, which exceeds the aforementioned 800mm guideline set out in Key Principle BL1 of the Planning Guidance SPD. However, it is noted that these guidelines are intended to be applied to properties where a front lightwell would be visible from the streetscene. To the front and side elevations, aluminium framed windows are proposed to provide light to the rooms at basement level. Given their location at the centre of the site, the proposed lightwells would not be visible from the public domain and, therefore, it is considered these would be sympathetic to the host buildings and would not cause adverse visual impacts to the surrounding area.
- (j) *Are designed to safeguard the structural stability of the existing building, nearby buildings and other infrastructure;*
- 6.34 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;*

6.35 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.

6.36 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.*

6.37 A construction traffic logistics plan was provided by the applicant. 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.

6.38 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. 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 and BL3.

6.39 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 North Fulham Regeneration Area. Moreover, Officers have no objection to the proposed demolition of the existing warehouse building within the centre of the site, nor the one-storey garage building, since neither are of any historical significance. The development has been designed to a high standard, in particular when compared to the buildings 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, BL3 and BM2 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, HS7 and HS8 seek to protect the existing amenities of neighbouring residential properties in terms of outlook, light, privacy and noise and disturbance.

Outlook/Sense of Enclosure

- 7.2 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.
- 7.3 The properties most affected by the development are the properties at Nos.1-3 Bramber Road and Nos.92-96 Lillie Road. The property immediately adjacent and to the west, at No.100 Lillie Road, is occupied by light industrial buildings, and recently received planning approval for part one, part two-and-a-half-storey buildings to provide 8 dwellinghouses; the opposing east elevation of these approved dwellings would not include any windows facing the application site. The proposed development would not result in a loss of outlook to No.100 Lillie Road.
- 7.4 At No.1 Bramber Road, the eastern side elevation includes a blank wall with no opposing window openings. The proposed development would not result in a loss of outlook to that property.
- 7.5 The proposed two-storey replacement building within the centre of the site would be no taller than, and would occupy roughly the same footprint as, the existing building it would replace. As such, the replacement building would not result in a significant increase in a sense of overbearing from adjacent properties.
- 7.6 The proposed additional floor above, and rear extensions to the buildings fronting North End Road would project slightly above a 45-degree line along the shared boundary with the adjacent properties to the north on Bramber Road and to the south along Lillie Road; notably, much of the existing building already breaches this threshold. The proposed rear extensions include a stepped design and are separated by approximately 3-4m from these adjacent properties by an interior courtyard and overall this mitigates the impact on outlook. The proposed narrow stairwell and lift on the west elevation would project beyond No.92 Lillie Road by approximately 3m, however this new element is relatively narrow and would not result in any harm due to the limited distance that this would project beyond the

rear wall of that neighbour. Based on officers' on-site judgement, the proposals are considered acceptable in this urban setting.

- 7.7 The proposed additional floor would result in modest upward projections that would be visible from properties across the street on Bramber Road, North End Road and Lillie Road. However, Officers consider that, given the limited additional height as well as the incorporation of mansard roof slopes to each of these elevations, the proposal would not result in a significant loss of outlook or sense of enclosure for properties across the street.
- 7.8 As such officers do not consider that the impact of the development would be such to result in an unacceptable sense of enclosure, aspect or outlook such as to justify refusing planning permission.

Privacy

- 7.9 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.
- 7.10 The east elevations of the adjoining properties on Bramber Road and Lillie Road do not include any windows. The proposal includes several new windows on the rear elevation of the proposed extensions to the buildings fronting North End Road and the infill buildings on Bramber Road and Lillie Road facing the interior of the block, as well as the removal of some existing windows. The proposal also includes new windows to the west, east and north elevations of the proposed two storey building to the rear.
- 7.11 The proposed side-facing window at first floor level within the two-storey building at the centre of the site, would directly face the existing rear-facing windows of the properties fronting Bramber Road. To prevent any overlooking from the development, the proposed side-facing window at first floor level within the two-storey building at the centre of the site will be obscure glazed and fixed shut. All other new windows would be located more than 18m from nearby existing windows when measured within a 60-degree arc. As such, the proposals accord with SPD Housing Key Principle HS7.
- 7.12 The proposal includes one small roof terrace at second floor level to the rear of Unit 3. Due to its proximity to an adjacent window within the proposed Unit 4, the proposals have been designed to include a 1.7m-tall opaque glazed screening along the perimeter of the roof terrace to prevent overlooking.

Noise and Disturbance

- 7.13 London Plan Policy D14 sets out measures to reduce, manage and mitigate noise to improve health and quality of life. Policies HO11 and CC11 of the Local Plan (2018) are aimed at ensuring that existing and future residents are not unduly affected by noise and disturbance from adjoining sites or the wider setting.
- 7.14 Key Principle HS8 adds that roof terraces or balconies likely to cause harm to the existing amenities of neighbouring properties by reason of noise and disturbance will not be supported.
- 7.15 The proposal includes one small roof terrace at second floor level to the rear of Unit 3. The potential use of a portion of the roof above the existing roof as an amenity space is likely to generate an increase in social activity which could cause noise and disturbance harmful to the amenities of surrounding residential occupiers. While it is difficult to predict with any accuracy the likely level of noise/disturbance that would be generated using the proposed terrace, the terrace itself would be of a limited scale, measuring approximately 2sqm, and would be of domestic use. As such, it is not considered that its use would, in the normal course of events, be likely to result in unacceptable levels of noise and disturbance to neighbouring occupiers.
- 7.16 It is noted that green and brown roofs would be provided on portions of the flat roofs of the building, however this would be for biodiversity, thermal performance and rainwater run-off reduction purposes. Access to these areas will be for maintenance purposes only and not for recreational purposes. This will be secured by a condition. As such, the proposal would comply with Key Principle HS8.
- 7.17 Policy CC13 of the Local Plan (2018) seeks to ensure that the amenity of future occupiers and make sure mitigation measures are implemented if a nuisance, for example, from smoke, fumes or noise are likely to occur. 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. 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'.
- 7.18 The Council's Environmental Protection team have reviewed the proposal and raised no objection, and have recommended conditions to ensure that the amenity of occupiers of the development site is not adversely affected by noise from adjoining residential units and industrial/commercial noise sources, and to ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the building site.

- 7.19 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.
- 7.20 Overall subject to conditions, the proposed development is in accordance with London Plan D14 and Policies HO11, CC11 and CC13 of the Local Plan (2018).

Daylight and Sunlight

- 7.20 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.

- 7.19 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.

- 7.19 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.

Daylight

- 7.20 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.
- 7.21 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.'

- 7.22 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.
- 7.23 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.
- 7.24 Officers have assessed the Daylight and Sunlight submissions which identifies 160 windows which serve 11 adjacent properties and of these, the most affected are at:
- 92 Lillie Road
 - 1 Bramber Road

VSC Assessment

- 7.25 Of the 160 assessed windows, only 2 windows serving habitable rooms would retain a VSC value less than 27% and would be reduced by more than 80% of their former values as a result of the proposal.

No.92 Lillie Road Second Floor (Window 2)

Notably, the resulting VSC of 0.78 for this window is marginally below the VSC 0.8 target and this change would be imperceptible.

No.1 Bramber Road First Floor (Window 1)

The resulting VSC for this window would be 0.49, which is below the 0.8 VSC 0.8 target.

NSL Assessment

- 7.26 Of the 79 residential rooms tested for NSL, only 3 failed to achieve 0.80 times the levels received in the existing conditions.

No.92 Lillie Road First Floor (Window 1)

- 7.27 Notably, the resulting NSL of 0.71 for window 1 is marginally below the NSL 0.8 target; however, in practice this technical infringement is considered modest in this urban setting.

No.1 Bramber Road Ground Floor (Window 1) and First Floor (Window 1)

- 7.28 Notably the resulting NSL for these windows a ground floor kitchen and a first floor bedroom would be 0.41 and 0.47 respectively which is below the 0.8 NSL target. The Local Plan defines a habitable room as any room used or intended to be used for dwelling purposes above 6.5 sqm. in floor area except for kitchens of less than 13 sqm. In the kitchen is less than 13 sqm and is not therefore a habitable room which needs to be considered as part of the daylight assessment. Normally bedrooms do not form part of the main living area during the day when daylight has its greatest impact; in either case, on balance, the short fall to the first floor bedroom is considered acceptable in this urban setting within the town centre.
- 7.27 The Daylight and Sunlight Assessment also identifies several windows serving habitable rooms that would experience improvements with regards to daylight, notably at No.3 Bramber Road and Nos.94 and 96 Lillie Road, as a result in slight reductions in the massing of the replacement building within the centre of the site. Whilst officers acknowledge that there are some technical infringements, it is noted that the BRE guidance is intended to be used flexibly, particularly in dense urban environments. Officers consider that the additional floors, rear extensions and proposed new buildings result in massing that 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 experienced by the closest neighbouring properties on Bramber Road and Lillie Road, which is not uncharacteristic for a site in this urban context.

Sunlight

- 7.28 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 5% of the annual probable sunlight hours during the winter months and the percentage reduction of APSH is 20% or more.

- 7.29 Of the 79 residential rooms assessed for APSH, only one of these (at No.5 Bramber Road) failed to reach the recommended 5% during the summer and winter months. This room received 3% APSH, only falling marginally below the recommended level. 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.

Daylight and Sunlight - Overall Conclusion

- 7.30 In terms of daylight and sunlight, 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 rating of 5, meaning it has very 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 a legal agreement.
- 8.7 The proposal involves the elimination of a vehicle crossover on the west side of North End Road. 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 long-stay storage for 31 bicycles and 2 short-stay spaces for the residential portion of the proposal and long-stay storage for 2 bicycles and 16 short-stay spaces for the commercial portion of the proposal. The plans indicate that 10 long-stay bicycle racks would be provided at ground floor level within an enclosure with secure access from the central courtyard and Bramber Road as well as 21 spaces at basement level for residential use. The required short-stay cycle spaces will be provided by means of Sheffield stands near the site on the public

footpath. The provision of the required on-site cycle stores will be secured by way of planning condition and off-site stands will be secured by a legal agreement and will be installed at the applicant's expense through a financial contribution. Highways officers raise no objection and 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. Three x 1100L refuse bins and three x 1100L recycling bins will be provided within an enclosed room at ground floor level with direct access to Bramber Road. The provision of such arrangements is therefore to be secured by condition. Officers consider that this would be sufficient to meet the requirements of Policy CC7 of the London Plan.

Footway Improvements

- 8.11 The Transport Statement confirms that the proposal includes sealing off the existing vehicular crossover along North End Road and reinstate the public footway. 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 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, highways officers raise no objections to the proposals, subject to appropriate 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 2 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 medium. This accords with the information in the Council's SFRA and SWMP.
- 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 green and brown roofs, permeable paving and soft landscaping along with control discharge of stormwater, as outlined in the FRA, and to finalise basement waterproofing details. 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 London Plan Policy SI 2 states that major development should be net zero-carbon by reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand.
- 9.8 Local Plan Policies CC1 and CC2 of the Local Plan (2018) require the implementation of energy conservation measures and the integration of sustainable design and construction measures in all major developments. In line with the Climate Change SPD, the Council also encourages the implementation of sustainability measures such as energy efficiency and carbon curbing measures to address the climate emergency declared by the Council in 2019.
- 9.9 The scheme is considered major development; therefore, the applicant has submitted an Energy and Sustainability Assessment to show compliance with local and regional policies on these issues. In this instance, 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 Policies CC1 and CC2 of the Local Plan (2018).
- 9.10 The Energy and Sustainability Assessment 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.
- 9.11 The proposal includes a communal heat network system fed from central air source heat pumps located on the roof 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, 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 new units and reflective of the existing architecture of the neighbourhood. These measures would achieve a 73% reduction in regulated carbon emissions against baseline figures (target emissions rate).
- 9.12 As the development would still be emitting 4.77 tonnes of CO₂ per annum, the report recommends that the applicant make a financial contribution to the council to offset these emissions. At £95 per tonne over a period of 30 years, the contribution required for this development would therefore be £13,594.50. The Council's Environmental Policy officer has reviewed the report and noted

that, based on the Council's recently published guidance, a contribution in the amount of £47,093.76 would be necessary to offset these emissions.

- 9.13 The proposals are therefore considered acceptable with regards to London Plan Policy SI 2 and Local Plan Policy CC1.

Biodiversity Net Gain (BNG) and Urban Greening Factor (UGF)

- 9.14 London Plan Policies 5.10 and 5.11 outline how green infrastructure such as green and brown roofs can make a contribution to sustainable drainage by absorbing a proportion of surface water and therefore reducing run-off rates. London Plan Policy G5 Urban Greening states that new residential developments should target an Urban Greening Factor (UGF) score of 0.4.
- 9.15 Policy OS5 of the Local Plan (2018) states that the Council will seek to enhance biodiversity and green infrastructure in the borough by, amongst others, maximising the provision of soft landscaping, green or brown roofs and other planting as part of new development.
- 9.16 These objectives are further articulated in Key Principles SuD5 and BD11 of the SPD, which describes how developers should incorporate biodiversity friendly green or brown roofs and living walls into new developments to help contribute to reducing surface water run-off.
- 9.17 The Environment Act (2021) requires the proposal to deliver a 10% biodiversity net gain (BNG) relative to the pre-development value of the habitat present on-site.
- 9.18 The applicant has submitted a Biodiversity Statement & Metric Assessment indicating that the proposal will deliver a BNG of 272.26% and an Urban Greening Factor score of 0.27 achieved primarily through the provision of green and brown roofs and landscaping within the central courtyard at ground floor level as shown on the supporting courtyard and rooftop landscape concept plans.
- 9.19 Whilst the proposal falls somewhat short of the UGF target, officers acknowledge that a significant portion of the proposals relate to the conversion of existing buildings on a constrained site with limited green space. As such, to offset the shortfall the applicant has agreed to a payment in lieu towards the provision of off-site tree planting/UGF projects. This will be secured by a legal agreement. On this basis, the UGF is considered acceptable in this case. Final details of landscaping and species will be secured by a condition.
- 9.20 The Council's Ecology officers have reviewed the report and have raised no objections to the proposal, subject to conditions to secure planting details, a BNG monitoring plan, an updated bat roost assessment, and that financial

contribution be secured through a legal agreement for the planting of off-site trees and/or grasslands and for the ongoing monitoring of the on-site green/brown roofs and landscaping.

Contamination

- 9.21 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.
- 9.22 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.
- 9.23 Subject to conditions the proposed scheme would accord with Policy CC9 of the Local Plan.

Air Quality

- 9.24 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 North End Road (B317) and Lillie Road (A3218).
- 9.25 The Council's Air Quality Team were consulted on this application and raised no objection, subject to conditions including the submission of a Ventilation Strategy and post installation compliance report, and Ultra Low Emission Strategy (ULES); details of the installation of electric induction stoves in the residential commercial kitchens, Commercial Kitchen Particulate Emissions (PM2.5) System (CKPMS), Zero Emission Air/Water Source Heat Pumps and Electric Boilers, Waste Water Heat Recovery System (WWHRS), Commercial Waste Heat Exchanger Recovery System (CWHERS), Battery Solar Energy Storage Systems (BSESS), and secondary mains electricity supply/Zero Emission Uninterruptable Power Supply (UPS) for fire and life safety equipment, and Aerobic Food Digesters (AFD).
- 9.26 Subject to these conditions, the proposals 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 £70,124.80 (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 to fund infrastructure that is needed to support development in the area. The CIL Charging Schedule formally took effect from 1st September 2015. This development is liable for an estimated CIL of approximately £175,312.00 (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) S278 works including the removal of the vehicular crossover on North End Road;
- 3) Prior to Occupation, to have entered into a Section 278 agreement to deliver the agreed Highway Works necessitated by this Development, at the Developer's cost;
- 4) Not to Occupy the Development until the agreed Highways Works, forming the S278 Agreement have been implemented and all Council costs have been met;
- 5) A contribution of £250,000 towards the provision of affordable housing, public realm improvements and community safety;
- 6) A contribution of £33,125 (£29,750 E&S + £3,375 LP) to support delivery of the Council's Industrial Strategy "Upstream London", including to support employment, skills and local procurement activities;
- 7) A commitment that at least 10% of the total number of people employed during the development are local (H&F) residents, including:
 - a) 4.5 apprenticeships lasting at least 12 months
 - b) 2 paid work experience placements lasting at least 6 months
 - c) 2 unpaid work experience placements for local (H&F) residents and students of local (H&F) schools lasting at least 4 weeks

- 8) A commitment that local (H&F) businesses are procured in the supply chain of the construction of the development to a value of at least 10% of the build cost;
- 9) A commitment to sign up to the Council's Upstream Pathway Bond, a broad menu of opportunities to help businesses play a meaningful role in supporting the local community in which they operate – and to encouraging end-users of the development to do so;
- 11) None of these contributions are double counted with any social value contributions committed by a procured developer as part of the procurement process;
- 12) The developer reports evidence to the Council of any of these outputs delivered on a quarterly basis;
- 13) Provision of 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);
- 14) AQDMP Compliance monitoring of £5000 per annum of the demolition and construction phases of the development;
- 15) Urban Greening Factor (UGF) - Payment of £3,500 for the enhancement of a species-rich grassland situated in the nearby Normand Park and £9,750 for planting 13 trees across various locations in lieu to offset UGF shortfalls, towards the provision of off-site tree planting/UGF projects;
- 16) Biodiversity Net Gain Monitoring Report and Fee - Submission of monitoring report each monitoring year; and £3,500 per monitoring year payable on years 1, 3, 5, 10, 20 and 30 post completion of the development;
- 17) A commitment to meet the costs of the Council's associated legal fees;
- 18) Contribution of £47,093.76 to offset carbon emissions.
- 19) Contribution of £75,000 to North End Road Christmas Lights and Market

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 flats above ground floor commercial uses and terraced dwellings.
- 11.4 The proposal is acceptable in visual terms and is of a good quality of design which would not adversely impact upon the surroundings. The harm to the Building of Merit would be less than significant and 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.