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**Ward:** Parsons Green And Sandford

**Site Address:**

First Floor Flat 38 Waterford Road London SW6 2DR



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**For identification purposes only - do not scale.**

**Reg. No:**

2025/01209/FUL

**Case Officer:**

Melissa Vingoe-Wright

**Date Valid:**

30.04.2025

**Conservation Area:**

Constraint Name: Moore Park Conservation Area -  
Number 30

**Committee Date:**

14.10.2025

**Applicant:**

Mr Ned Truman  
103 Tritonville Road Dublin D04 PP93 Ireland

**Description:**

Erection of a rear extension at first floor level, on top of the existing two storey back addition; removal of the remaining part of the pitched roof to form a new green flat roof, above the upper ground floor back addition; erection of 1.7m high obscure glazed screening, around part of flat roof above proposed first floor rear extension, in connection with its use as a roof terrace; erection of a single dormer door to the rear elevation at second floor level, to provide access to the proposed roof terrace.

Drg Nos:

**Application Type:**

Full Detailed Planning Application

**Officer Recommendation:**

That the Committee resolve that the Director of Planning and Property be authorised to grant permission subject to the conditions listed below:

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

**Conditions:****1) Time Limit**

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

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

**2) Approved Plans**

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

097-110 rev C;  
097-210 rev C;  
097-211 rev C;  
097-212 rev C.

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

### **3) Materials**

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

- Walls: London stock brick to match the existing building in terms of brick and mortar colour and bond pattern.
- Roof: Matching roof tiles to main roof. Flat roof to extensions.
- Windows: Timber frames, colour and finish to match the existing openings.
- Door: Black painted timber

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

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

### **4) Roof Terrace - Privacy Screens**

The terrace hereby approved shall not be first used until the privacy screening has been installed as shown on approved drawing no. [097-110 rev C]. The privacy screen shall achieve a minimum level of obscurity equivalent to Pilkington Texture Glass Level 3 and shall have a height of 1.7m above the finished floor level of the terrace along the rear and side elevations. The privacy screen shall thereafter be permanently retained as approved.

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

### **5) Window – obscure glazing**

The window at first floor level in the rear elevation shall be fitted with obscure glass to a minimum level of obscurity equivalent to Pilkington Texture Glass Level 3 and shall be fixed shut up to a height of 1.7m above the finished floor level. The window shall thereafter be permanently retained in this form.

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

### **6) Roof Terrace Size**

The roof of the extensions other than the area shown as a terrace on the approved plans shall not be converted into or used as a terrace or other open amenity space. No alterations shall be carried out; nor planters or other chattels placed on the roof/remainder of the roof of the back addition or the extension hereby approved. No railings or other means of enclosure shall be erected around the roofs and no alterations shall be carried out to the property, including the extension hereby approved, to form an access onto the roofs.

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

### **Justification for Approving the Application:**

- 1) It is considered that the proposal would not have an unacceptable impact on the existing amenities of the occupiers of neighbouring residential properties and surrounding area and would be of an acceptable visual appearance which would not harm the character of the parent building or terrace and would preserve the character of the Moore Park Conservation Area. In this respect the proposal complies with the aims of relevant Policies of the Local Plan 2018 and applicable Key Principles of the Planning Guidance SPD 2018.

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

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

Application form received: 29th April 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

#### **Consultation Comments:**

##### **Comments from:**

Network Rail

Crossrail Limited

##### **Dated:**

13.05.25

09.05.25

#### **Neighbour Comments:**

##### **Letters from:**

##### **Dated:**

2 Clare Mews London SW6 2EG

30.05.25

3 Clare Mews London SW6 2EG

02.06.25

3 Clare Mews London SW6 2EG

02.06.25

40C Waterford Road London SW6 2DR

02.06.25

2 Downs Road Bristol BS93TX

02.06.25

40B Waterford Road London SW6 2DR

05.06.25

One Clarew Mews, 42 Waterford Road London SW6 2EG

02.06.25

8 Clare Mews London London SW6 2EG	01.06.25
40b Waterford Road London SW6 2DR	02.06.25
4 Clare Mews Waterford Road LONDON SW6 2EG	02.06.25
5 Clare Mews London SW6 2EG	02.06.25
7 Clare Mews London SW6 2EG	31.05.25

## **1.0 SITE DESCRIPTION AND HISTORY**

- 1.1 The application site relates to a three-storey mid-terrace property with accommodation at roof level. The property and is split into three flats. This application relates to the two-bedroom maisonette flat at first and second floor levels.
- 1.2 The site is located on the west side of Waterford Road. The surrounding area has a residential character. Along Waterford Road, to the north, south and east are two and three storey terraced properties with accommodation at roof level. To the west is a two-storey infill residential development along Clare Mews, which is accessed from Waterford Road; beyond that are the rear gardens of 4 storey properties fronting Harwood Road.
- 1.3 The site is located within the Moore Park Conservation Area and the Environment Agency's Flood Risk Zone 3.

### **Relevant Planning History**

- 1.4 In 1983 planning permission (ref 1983/00164/FUL) was granted for the conversion of the property to 3 one bed flats, with a dustbin enclosure. This has been implemented.
- 1.5 In 1998 planning permission (ref 1998/00391/FUL) was granted for a single storey rear extension at lower ground floor level (to the side of the original back addition). This has been implemented.
- 1.6 In 2000 planning permission (ref 2000/01872/FUL) was granted for a full roof extension to provide an additional floor. This has been implemented.

#### 26 Waterford Road

- 1.7 Various extensions have been approved (refs 2011/01867/FUL, 2011/01863/FUL, 2011/03318/FUL and 2011/02476/FUL) including an additional storey above the original back addition.

#### 28 Waterford Road

- 1.8 Various extensions have been approved (ref 2005/01795/FUL and 2010/01493/FUL) including an additional floor to the back addition.

#### 30 Waterford Road

- 1.9 Various planning permissions (refs 2003/02066/FUL, 1982/00838/FUL, 2009/02567/FUL) have been approved including increases to the height, width and depth of the original back addition.

### **Current Proposal**

- 1.10 The current application involves the erection of a rear extension at first floor level, on top of the existing two storey back addition. The removal of the remaining part of the pitched roof to form a new green flat roof, above the upper ground floor back addition. The erection of 1.7m high obscure glazed screening, around part of flat roof above proposed first floor rear extension, in connection with its use as a roof terrace. The erection of a single dormer door to the rear elevation at second floor level, to provide access to the proposed roof terrace.

## **2.0 PUBLICITY AND CONSULTATION**

### **Pre-application Engagement**

- 2.1 In accordance with the National Planning Policy Framework (NPPF), the applicant undertook pre-application discussions with the Local Planning Authority. Pre-application proposals were submitted in October 2024 and involved the erection of a rear extension at first floor level, on top of the existing back addition and the formation of a roof terrace at second floor level. In response, officers recommended that the proposed depth of the extension should be reduced and the impact on the neighbouring residential properties should also be considered.

### **Statutory Consultation**

- 2.2 Individual notification letters were sent to 20 neighbouring properties. In total 11 responses were received including 1 letter of support and 10 objections which raised the following summary representations:
- does not represent good design within the conservation area
  - limited examples of precedents in the surrounding area, and no immediate neighbours have roof terraces
  - direct and perceived detrimental impact to the neighbour amenity
  - significant overbearing, and dominant extension to the host property
  - neighbours already have limited amenity and outlook
  - roof terrace results in overlooking and reduces privacy
  - 1.7m high screening is insufficient; add conditions to secure materials for roof terrace screens and restrict views from new windows
  - noise and disturbance from use of roof terrace
  - no sunlight or shadow analysis and the proposals should be refused
  - a missing side elevation for both existing and proposed
  - party wall impacts and satisfactory notification required
  - pre-app response is not available for residents to view.
  - existing flat is already a good sized 2 bed flat
  - construction method statement should be submitted to prevent detrimental impact on surrounding neighbours and the highway network.

- 2.3 The letter of support raised the following summary points: -
- proposals would have limited impact on neighbours' property
  - proposals have a positive impact on the applicant's home
- 2.4 The material planning considerations raised above are considered in the relevant section of this report.
- 2.5 Following the submission of the original plans, the applicant submitted additional revised plans; the proposed side elevations include no windows, and a window is included in the rear elevation.
- 2.6 Party wall issues are civil matter that is covered separately under Party Wall legislation, and this is not a material consideration for a planning application.
- 2.7 Network Rail raised no objections to the application.
- 2.8 Crossrail raised no objections to the application.

### **3.0 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 principle 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 of the London Plan 2021, and the Local Plan 2018. 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**

- 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 that 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 Regarding 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), the 'Planning Guidance' Supplementary Planning Document 2018 (hereafter referred to as the 'Planning Guidance' SPD) include:
- 1) Design, character and appearance.
  - 2) Residential amenity; and
  - 3) Other matters

## **4.0 DESIGN AND HERITAGE**

- 4.1 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.
- 4.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in the exercise, with respect to any building or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2) (which includes the planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.



- 4.3 Paragraph 212 of the NPPF states: When considering the impact of a proposed development on the significance of a designated heritage asset great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 4.4 Paragraph 215 of the NPPF states: Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighted against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 4.5 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”.
- 4.6 Local Plan Policy DC1 states that all development within the borough should create a high-quality urban environment that respects and enhances its townscape context and heritage assets. There should be an approach to accessible and inclusive urban design that demonstrates how good design, quality public realm, landscaping and land use can be integrated to help regenerate places.
- 4.7 Policy DC4 of the Local Plan states that the Council will require a high standard of design in all alterations and extensions to existing buildings. In particular, design in all alterations and extensions should be: - compatible with the scale and character of existing development, neighbouring properties and their setting; - successfully integrated into the architectural design of the existing building; and – subservient and should never dominate the parent building in bulk, scale, materials or design.
- 4.8 Policy DC8 states that the Council will conserve the significance of the borough's historic environment by protecting, restoring and enhancing its heritage assets. These assets include: listed buildings, conservation areas, historic parks and gardens, the scheduled monument of Fulham Palace Moated site, unscheduled archaeological remains and building and features of local interest.
- 4.9 Key Principle CAG2 states that new development should contribute positively to the townscape and visual quality of the area and achieve a harmonious relationship with its neighbours to preserve or enhance the character and

appearance of the conservation area. Key Principle CAG3 goes on to state that new buildings, extensions and alterations should be sympathetic to the architectural character of the built context. Characteristics such as building lines, rear and side additions, materials, windows and building features should be considered in this context.

- 4.10 The site is located within the Moore Park Conservation Area. The proposals would be visually prominent from private views to the rear of Waterford Road and Clare Mews, both within the Conservation Area

### **Moore Park Conservation Area**

- 4.11 The Moore Park Conservation Area was first designated in April 1989. The character of the Conservation Area is determined largely by the residential area that lies between two of London's major arterial thoroughfares, Fulham Road and Kings Road, a mixture of detached houses and villas, as well as terraced residential properties.
- 4.12 Waterford Road falls within main body of the Moore Park conservation area (Section B). The western side of Waterford Road consists of two storey terraces with semi-basements. Those at the northern end (Nos. 24 to 40 even) were built with valley roofs with a parapet and those to the south (Nos. 44 to 74 even) have pitched slate roofs. No. 42 is a modern property with a ground floor vehicular entrance through to Clare Mews (the former London General Omnibus Co. stables) at the rear, separates these two terraces. Many of the houses have retained their original railings to the front boundary and entrance steps.
- 4.13 The application property has been altered since it was built. The original roof has been replaced with a full roof extension. There is also an existing two storey rear addition at ground and lower ground levels and an infill side extension.
- 4.14 In response pre-application advice, the proposals have been reduced in scale. The proposals involve the erection of a brick extension at first floor level above the existing two storey rear addition and would measure approximately 3.1m deep, 3.2m deep and would be set back some 1m from the end of the existing rear addition. Beyond the proposed extension, the alterations involve flattening the roof of the existing rear addition at upper ground floor level. The proposed extension would have a window in its' side elevation and a flat roof.
- 4.15 The siting and scale of the proposed extension results in a back addition that remains subservient to the main parent building. The use of matching brick materials for the extension would be in keeping with the existing materials of the host property.
- 4.16 The application site is situated within a terrace that includes properties that have had similar extensions which have resulted in an increase in height, length and width of the original back additions. The closest examples are at Nos. 26, 28 and 30 Waterford Road. The proposed development would have a

similar form to those extended properties.

- 4.17 The flat roof of the proposed extension includes a roof terrace that would measure 1.8m deep and be enclosed by a 1.7m obscure glazed screen to its' rear and side elevations. The terrace would be accessed from a new timber door in the existing main rear elevation that leads to an existing internal staircase. The scale of the roof terrace is considered modest and its' siting at the rear with light weight glazed screening would be sympathetic to the existing property.
- 4.18 The proposed window opening in the rear of the proposed extension would be of an appropriate scale that would respect the existing openings of the host property and neighbouring properties. Views of the proposed new door would be very restricted and would not harm the appearance of the rear elevation.
- 4.19 Key Principle HS8(ii) seeks to ensure that new balconies and terraces would be designed to receive reasonable levels of sunlight and daylight for the future users. The proposed terrace would be situated at the second-floor level and would sit above neighbouring extensions at Nos. 36 and 40 Waterford Road. In this position the terrace would not be at a low level or enclosed by neighbouring buildings. It is therefore considered that the terrace would receive adequate levels of daylight and sunlight
- 4.20 Against this backdrop of existing properties, it is not considered that the proposed extension when combined with the terrace development would result in a visual impact that would be out of keeping with the character of the existing application terrace. It is considered that the proposed extension would preserve the overall character of the host property and wider terrace group.
- 4.21 Officers have assessed the impact of the proposals upon the character and significance of the Moore Park conservation area and based upon due consideration of the considerations above, conclude that the proposals would result in less than substantial harm to the character and significance of this section of the conservation area. The proposed roof extension and roof terrace result in additions that appear subservient to the host dwelling and would be sympathetic to the wider terrace group and the roofscape and would not be harmful to the character of the Conservation Area and preserves the character and appearance of the heritage asse.
- 4.22 The proposal would be contrary to section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, policies DC1, DC4 and DC8 of the Local Plan (2018) and Key Principles CAG2 and CAG3 of the Planning Guidance Supplementary Planning Document (2018).

## **5.0 RESIDENTIAL AMENITY**

- 5.1 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.

- 5.2 Policy HO11 of the Local Plan includes requirements for residential developments to avoid detrimental impacts on the amenities of residents in the surrounding area. The policy states the protection of existing residential amenities, including such issues such as loss of daylight, sunlight, privacy and outlook.
- 5.3 Policies CC11 (Noise) and CC13 (Control of Potentially Polluting Uses) also deal with environmental nuisance and requires all developments to ensure that there is no undue detriment to the general amenities at present enjoyed by existing surrounding occupiers of their properties.
- 5.4 The most affected properties are adjoining at Nos. 36 and 40 Waterford Road and the properties to the rear in Clare Mews.

### **Outlook/Sense of Enclosure**

- 5.5 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 of adjoining residential occupiers in their properties. Although it is dependant 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 the ground level of the boundaries of the site where it adjoins residential properties, this is increased to a height of 2m from the ground level of the boundary for properties with a rear garden of more than 9m. If any part of the proposed building extends beyond these lines, 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.
- 5.6 In this instance, the rear boundary abuts the communal parking area to the front of the properties within Clare Mews. Whilst the garden of the host building is approximately 4m, the distance to the closest building within Clare Mews is some 10.5m. Although, the extension would fall within a 45-degree line of the rear garden boundary, based on an on-site judgement officers consider within this urban setting, that the proposal would not result in an undue increase in a sense of enclosure or loss of outlook to the residential properties in Clare Mews.
- 5.7 Key Principle HS7(i) states that 'Any proposed rear extension should not worsen the outlook from any rear habitable room window located lower than the proposed extension'. An extension to either the roof of the back addition or to the rear of the back addition should enable an unobstructed angle of 45 degrees to be achieved to any window to a habitable room on the ground floor of the back addition if that forms the sole window to that room. This requirement needs to be satisfied by measuring either over or around the back addition as extended. Where there is an existing rear addition, the angle of unobstructed visibility for this purpose should not be reduced by more than 15%. Where no

rear addition currently exists at the level of the extension then on-site judgement will be a determining factor in assessing the effect which the extension will have on the existing amenities of the neighbouring properties

- 5.8 The two most affected properties are at Nos 36 and 40 Waterford Road. The adjoining property at No.36 Waterford Road has a two-storey back addition extension at lower ground and ground floor; there are no windows in the main rear elevation of that property at ground or lower ground floor. Also, there are no windows in the opposing flank elevation of the back addition at No.36.
- 5.9 At No.36 there are no extensions at the roof level, and the property has a matching existing two storey back addition, with no windows in its rear elevation or on the opposing side elevation closest to the application site. No.36 has an existing rear window at first floor which is situated on the same level as the proposed first floor extension.
- 5.10 The proposed first floor extension measures 3.2m deep from the main rear elevation. In terms of impact the closest habitable window is at the first floor of No.36; although at the same first floor height as the extension, that existing neighbouring window would be located slightly lower than the overall height of the proposed extension. The extension would result in an angle of unobstructed visibility of 43-degrees from the central point of that neighbouring first floor which falls just below the target 45-degrees. In this instance it is considered that the proposed extension would still enable a satisfactory level of outlook from that opening. No rear addition currently exists at first floor level and based an on-site judgement; officers consider that the proposals would have an acceptable impact within this urban setting.
- 5.11 No. 40 Waterford Road is split into flats; the flats at first and second floor have matching internal layouts that include windows in the main rear elevation that serve kitchen and reception areas. The nearest windows at both first and second floors both serve kitchens are within the target 45-degrees whereas the furthest windows which serve reception areas fall outside the 45-degree target. Notably, Key Principle HS7 seeks to protect the outlook from rear habitable room windows located lower than the proposed extension; the Local Plan Glossary 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 these circumstances, it is considered that the proposed first floor extension would result have an acceptable impact on the overall living conditions of the occupiers of number 40 Waterford Road.
- 5.12 The proposed roof terrace (1.8m deep) and glazed screening (1.7m high) at second floor on top of the proposed extension is considered modest in scale. In terms of impact, it would allow an unobstructed view of over 45-degrees from the central point of this neighbour's first floor window at both Nos. 36 and 40. The roof terrace would not result in any undue loss of outlook to immediately adjoining properties in the application terrace nor those in Clare Mews.

5.13 Overall, the proposals accord with the aims of Policy HO11 and Key Principles HS6 and HS7.

### **Daylight and Sunlight**

5.14 Policy HO11 of the Local Plan includes requirements for residential developments to avoid detrimental impacts on the amenities of residents in the surrounding area including daylight and sunlight to rooms in adjoining properties. The supporting paragraph 6.74 to HO11 states that 'these standards are often subject to on-site judgement, but a departure from the standards needs to be justified by the circumstances of a particular case.' Key Principle HS7 also seeks to protect the daylight and sunlight levels for surrounding residential occupiers.

5.15 Although no daylight and sunlight report was provided as part of the application, an officer assessment has been carried out following an on-site judgement. Officers note that in response to pre-application advice the proposals have been reduced in scale. The proposed first-floor extension and roof terrace have respectively been set back by approximately 1m and 2.8m from the rear boundary. The proposed roof terrace has been reduced by some 50%.

5.16 Based on an on-site judgement, officers consider that the proposed extensions at first and second floor together with the enclosed roof terrace would be unlikely to result in an unacceptable loss of light to the habitable windows at the rear of Nos 36 and 40 Waterford Road nor the properties to the rear in Clare Mews.

5.17 Overall, the proposals accord with the aims of Policy HO11 and Key Principle HS7 and would not result in an adverse impact on the daylight and sunlight levels of the neighbouring properties.

### **Privacy**

5.18 SPD Housing Key Principle HS7(iii) 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. It also states that a roof terrace/balcony is unacceptable if it would result in an additional opportunity for overlooking and consequent loss of privacy. If this standard cannot be met, sensitively designed screening may be acceptable, following an assessment of its impact upon neighbouring amenity. Key Principle HS8 seeks to ensure that balconies and terraces would not result in harm to the existing amenities of neighbouring occupiers and would not result in a significantly greater degree of overlooking or loss of privacy from the use of or access to the terrace.

5.19 The proposed window to the rear elevation would be less than 18m to the opposing neighbouring property in Clare Mews. To address this, a condition is attached to ensure that the proposed window is obscure glazed and non-opening below a height of 1.7m internally to prevent overlooking.

5.20 The proposed roof terrace would be enclosed by a 1.7m high obscure glazed screen. Officers consider that this height would be sufficient to prevent overlooking from users of the proposed terrace; the screening would be at or above the eye level, which would mitigate any loss of privacy. Subject to appropriate conditions to secure the implementation of appropriate screening, officers are satisfied that the roof terrace would not result in any undue loss of privacy to neighbouring properties.

5.21 The proposed development accord with Policy HO11 of the Local Plan and Key Principle HS7.

### **Noise and Disturbance**

5.22 London Plan Policy D14 sets out measures to reduce, manage and mitigate noise to improve health and quality of life. Local Plan Policy CC11 advises that noise and vibration impacts will be controlled by locating noise sensitive development in appropriate locations and protected against existing and proposed sources of noise through design, layout and materials. Noise generating development will not be permitted if it would materially increase the noise experienced by occupants/users of existing or proposed noise sensitive areas in the vicinity. As noted above, 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 the existing surrounding occupiers of their properties'.

5.23 SPD Housing Key Principle HS8 seeks to ensure that balconies and terraces would not harm the existing amenities of neighbouring occupiers by reason of noise or disturbance. The supporting text in paragraph 3.16 states that balconies and terraces should be no bigger than 15 sqm square metres to reduce noise and disturbance to neighbours.

5.24 In this case, the proposed second floor roof terrace is 4.75sqm. Officers consider that the scale of the terrace is modest. Given its small scale it is not considered that it would result in any undue impact in terms of noise and disturbance.

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

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

### **Conclusion**

5.27 Overall, the proposed development is not considered to result in significant harm to the overall amenity of the surrounding residential neighbours. Particularly in regard to light, outlook, privacy and noise levels. The

development accords with the aims of policies HO11, CC11 and CC13 of the Local Plan as well as Key Principles HS6, SH7 and HS8 of the Planning Guidance SPD.

## **6.0 OTHER MATTERS**

### **6.1 Flooding**

- 6.2 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.
- 6.3 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 Page 161 should be designed and implemented to address water efficiency, water quality, biodiversity and recreation.
- 6.4 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. Key Principle FR1
- 6.5 The site is within the Environment Agency's Flood Risk Zone 3 indicating a medium risk of flooding from the Thames. However, it is well protected by flood defences such as the Thames Barrier and local river walls. A Flood Risk Assessment has been provided within the Design and Access Statement. It states that the proposed development would be above the ground level and there would be no scope for reducing the impact of surface water flooding. A green roof is proposed to the rear of the first-floor extension, and of the roof of this extension, with potential to include a rainwater butt on the second-floor terrace.
- 6.6 The proposals would not impact the ground level of the site and would retain the existing footprint of the host property. Officers consider that the proposals would not result in an increase to the risk of flooding for the host property of the neighbouring properties. An informative has been recommended to ensure that any SuDS measures incorporated would comply with Building Regulations. The proposals would therefore be compliant with policies CC3 and CC4 of the Local Plan and key principle FR1.

### **6.7 Transport**

- 6.8 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.

- 6.9 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".
- 6.10 The Council's Highways team have been consulted on the proposals and confirmed that the scale of the development would not necessitate a Construction Logistics Plan. There are parking bays on both sides of Waterford Road which could be suspended as part of the proposed development. Given this and the relatively small scale of the development, highways officers concluded that a condition for a Construction Logistics Plan is not necessary in this case.
- 6.11 Overall, the development would have an acceptable impact on the surrounding highway network and would not result in harm to the safety of road users. The development would be compliant with policy T2 of the Local Plan.

## **7.0 CONCLUSION**

- 7.1 In considering planning applications, the Local Planning Authority needs to consider the development plan as a whole and planning applications that accord with the development plan should be approved without delay, unless material considerations indicate otherwise and any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 7.2 In the assessment of the application, regard has been given to the NPPF, London Plan 2021, and Local Plan 2018 policies as well as guidance.
- 7.3 In summary, the proposal is acceptable in visual terms and is of a good quality of design which would not adversely impact upon the surrounding area. There is not considered to be resulting harm on the significance of the Moore Park Conservation Area. Subject to conditions, the proposal would not result in unacceptable impacts upon the amenities of neighbouring residential properties.
- 7.4 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.

## **8.0 RECOMMENDATION**

- 8.1 The application is therefore recommended for approval, subject to the proposed conditions.