

**Ward:** Walham Green

**Site Address:**

Barclay Close London SW6 5QG



© Crown Copyright. All Rights Reserved. London Borough Hammersmith and Fulham LA100019223 (2013).

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

**Req. No:**

2025/02125/FR3

**Case Officer:**

Tom Scriven

**Date Valid:**

14.08.2025

**Conservation Area:**

**Committee Date:**

20.01.2026

**Applicant:**

London Borough Of Hammersmith And Fulham  
C/O Agent

**Description:**

Redevelopment of the site comprising the erection of 3no. three storey single family dwellinghouses, with associated parking, access and servicing, landscape, public realm, removal of dropped kerb and associated works.

Drg Nos:

**Application Type:**

Full Regulation 3 - LBHF is Developer

**Officer Recommendation:**

That the Committee resolve that the Director of Planning and Property be authorised to grant permission upon the completion of a satisfactory legal agreement and 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) The development hereby permitted shall not commence later than the expiration of 3 years beginning with the date of this planning permission.

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

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

Landscape Ground Floor GA BAR-PRP-ZZ-00-DG-L-02000 Rev P01

Landscape Ground Floor GA BAR-RP-ZZ-00-DG-L-02010 Rev P01

Proposed Site Plan BAR-PRP-ZZ-ZZ-DG-A-08302 Rev P01

Proposed Ground Floor BAR-PRP-ZZ-00-DG-A-08000 Rev P02

Proposed First Floor BAR-PRP-ZZ-01-DG-A-08001 REV P02

Proposed Second Floor BAR-PRP-ZZ-01-DG-A-08002 REV P02

Proposed Elevations BAR-PRP-ZZ-ZZ-DG-A-08100 REV P05

Proposed Site Sections BAR-PRP-ZZ-ZZ-DG-A-08210 REV P02

Proposed Sections BAR-PRP-ZZ-ZZ-DG-A-08220 REV P02

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

- 3) Prior to commencement of the relevant part of the works, details of the external facing materials (including manufacturer's specifications, photographs and/ or a physical sample) shall be submitted to, and approved in writing by the Council.

The development shall be carried out and completed in accordance with the approved details. The development shall be permanently retained in accordance with the approved details.

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

- 4) The development hereby approved shall be carried out in accordance with the approved Arboricultural Impact Assessment

Report (Ref:SHA 1709) and in particular the Tree Protection Plan set out in Appendix 3 of the document. The tree protection measures shall be carried out in full for the duration of the construction works.

To ensure that retained trees are suitably protected and to prevent harm during the course of construction, in accordance with Policies DC1, DC8, OS2 and OS5 of the Local Plan 2018.

- 5) Prior to the commencement of the demolition phase (excluding installation of hoarding and Dust Deposition 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 'B' 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.

The development site is within the borough wide Air Quality Management Area (AQMA). Mitigation measures are required to make the development acceptable in accordance with Policies CC1 and CC10 of the Local Plan (2018).

6) Prior to the commencement of the construction phase (excluding installation of hoarding and Dust Deposition 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 'D' 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.

The development site is within the borough wide Air Quality Management Area (AQMA). Mitigation measures are required to make the development acceptable in accordance with Policies CC1 and CC10 of the Local Plan (2018).

7) Prior to commencement of above ground works in the development hereby permitted, a Ventilation Strategy Report to mitigate the impact of existing poor air quality for the three self-contained dwellinghouses (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 (NO<sub>2</sub>) - 10ug/m<sup>3</sup>, Particulate (PM10) - 15 ug/m<sup>3</sup> and Particulate (PM2.5) - 5 ug/m<sup>3</sup> 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 (NO<sub>2</sub>) and Particulate Matter (PM2.5, 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 (PM2.5, PM10) in accordance with BS EN ISO 10121-1:2014 and BS EN ISO 16890:2016.

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

The development site is within the borough wide Air Quality Management Area (AQMA). Mitigation measures are required to make the development acceptable in accordance with Policies CC1 and CC10 of the Local Plan (2018).

8) 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 7 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 a suitably accredited person. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

The development site is within the borough wide Air Quality Management Area (AQMA). Mitigation measures are required to make the development acceptable in accordance with Policies CC1 and CC10 of the Local Plan (2018).

9) Prior to occupation of the Residential (Use Class C3) development hereby permitted, details of the Zero Emission MCS certified Air Source Heat Pumps to be provided for space heating and hot water for the 3 self-contained residential units shall be submitted to and approved in writing by the Local Planning Authority. Approved details shall be fully implemented prior to the occupation of the development and thereafter permanently retained and maintained.

The development site is within the borough wide Air Quality Management Area (AQMA). Mitigation measures are required to make the development acceptable in accordance with Policies CC1 and CC10 of the Local Plan (2018).

10) Prior to the occupation of the development hereby approved, full details of the PV panels to be installed on the roof of the building shall be submitted to and approved by the Local Planning Authority. The PV panels shall be installed in accordance with the approved details prior to occupation and permanently retained thereafter.

In order to maximise the use of PV panels on the roof and reduce reliance on carbon based energy sources in accordance with policy CC1 of the Local Plan (2018).

11) 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+A1:2019 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.

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.

- 12) 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.

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.

- 13) 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.

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 the Local Plan (2018) and key principles LC1 to LC7 of the Planning Guidance Supplementary Planning Document (2018).

14) 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.

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 the Local Plan (2018) and key principles LC1 to LC7 of the Planning Guidance Supplementary Planning Document (2018).

15) 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.

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 the Local Plan (2018) and key principles LC1 to LC7 of the Planning Guidance Supplementary Planning Document (2018).

16) 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.

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 the Local Plan (2018) and key principles LC1 to LC7 of the Planning Guidance Supplementary Planning Document (2018).

- 17) 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.

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 the Local Plan (2018) and key principles LC1 to LC7 of the Planning Guidance Supplementary Planning Document (2018).

- 18) 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.

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 the Local Plan (2018) and key principles LC1 to LC7 of the Planning Guidance Supplementary Planning Document (2018).

19) Prior to first occupation of the development hereby permitted, the secure cycle storage facilities have been provided in accordance with the approved plans. The cycle parking facilities shall thereafter be retained for the development hereby permitted and not used for any other purpose.

To ensure the suitable provision of cycle parking within the development to meet the needs of future site occupiers, in accordance with Policy T5 of The London Plan 2021 and Policy T3 of the Local Plan 2018.

20) No part of the development hereby approved shall be occupied the car parking spaces including a blue badge parking space have been provided in accordance with approved drawings. These parking spaces shall be permanently retained for the life of the development for their dedicated purpose.

To ensure the satisfactory provision and retention of car parking facilities, in accordance with Policy D5 and T6.1 of the London Plan and Policies HO6 and T5 of the Local Plan 2018 and SPD Key Principle TR6 2018.

21) No part of the development hereby approved shall be occupied until the approved refuse storage enclosures, as indicated on the approved drawings, have been provided for the storage of refuse and recyclable materials. All the refuse/recycling facilities shall be retained thereafter in accordance with the approved details.

To ensure the satisfactory provision of refuse storage and recycling and to prevent harm to the street scene arising from the appearance of accumulated rubbish, in accordance with Policies DC2, CC6 and CC7 of the Local Plan 2018 and SPD Key Principle WM1 2018.

22) Prior to commencement of the development hereby permitted, a scheme for temporary fencing and/or enclosure of the site shall be submitted to and approved in writing by the Local Planning Authority. The temporary fencing and/or enclosure shall thereafter be retained for the duration of the building works in accordance with the approved details.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies D1 and D8 of the London Plan 2021, Policies DC1, DC2 and CC12 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

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

- a) site logistics and operations;
- b) construction vehicle routing;
- c) Details of the estimated number, size and routes of construction vehicles per day/week details of the use of Ultra Low Emission Zone (ULEZ) compliant Vehicles e.g. Euro 6 and Euro VI;
- d) details of the access and egress arrangements;
- e) delivery locations on the site;
- f) details of any vehicle holding areas; and other matters relating to traffic management to be agreed as required;
- g) Efficiency and sustainability measures to be undertaken for the works;
- h) membership of the Considerate Contractors Scheme.

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

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

24) Prior to commencement of the development hereby permitted, a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Council. The CMP shall provide details of how construction works are to be undertaken and shall include:

- a) A construction method statement which identifies the stages and details how works will be undertaken
- b) Details of working hours shall be limited to 08.00 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays
- c) Details of plant and machinery to be used during construction works
- d) Details of waste management strategy
- e) Details of community engagement arrangements
- f) Details of any acoustic hoarding
- g) A temporary drainage strategy and performance specification to control surface water runoff and Pollution Prevention Plan (in accordance with Environment Agency Guidance);
- h) Details of external lighting; and
- i) Details of any other standard environmental management and control measures to be implemented.

The development shall be carried out in accordance with the approved details. Additionally, the site or Contractor Company must be registered with the

Considerate Constructors Scheme. Proof of registration must be sent to the Local Planning Authority prior to any works being carried out.

To ensure that occupiers of surrounding premises are not adversely affected by noise, vibration, dust, lighting or other emissions from the building site in accordance with Policies SI 1, SI 8 and SI 10 of the London Plan 2021, and Policies DC1, DC2, CC6, CC7, CC10, CC11, and CC12 of the Local Plan 2018.

25) Prior to the commencement of development an updated Drainage Strategy shall be submitted to an approved in writing by the Local Planning Authority. This shall include details of the rainwater harvesting measures, the green and green/blue roofs, the soft landscaping and permeable surfaces and attenuation tanks to demonstrate that any discharges to the sewer network are limited to no more than 2.5 l/s for all storm events up to the 1 in 100 year event + 40% climate change factor. Full plans of the Sustainable Drainage Systems (SuDS) shall also be provided showing how these connect into the drainage network and maintenance information for all features shall also be provided. The development shall be carried out and subsequently maintained in accordance with these approved details.

To reduce the impact of flooding in the area, in accordance with Policies SI 5 and SI 13 of the London Plan 2021 and Policy CC3 of the Local Plan 2018.

26) Prior to first occupation of the development hereby approved, details of any aerials and satellite dishes for the relevant Building shall be submitted and approved in writing by the Local Planning Authority. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that principal Order with or without modification), no additional aerials, antennae, satellite dishes or related telecommunications equipment shall be erected on any part of the relevant part of the development hereby permitted, without planning permission first being obtained.

To ensure that the visual impact of telecommunication equipment upon the surrounding area can be considered, in accordance with Policies DC1 of the Local Plan 2018.

27) Prior to the commencement of landscaping and public realm works, a Landscape & Public Realm Specification and Management Plan shall be submitted to and approved in writing by the Council for all landscaped areas. This shall include details of all species within the planting schedule, additional ecological initiatives such as but not limited to native species planting, bird boxes and log piles, and management responsibilities and maintenance schedules for all landscape areas. The planting schedule must not include any invasives, such as those included on the London Invasive Species Initiative. Regarding maintenance, the use of herbicides and pesticides should be entirely avoided with exception to tackling invasive species. The landscape management plan shall be implemented in

accordance with the approved details and shall thereafter be permanently retained in this form.

To ensure that the development provides an attractive natural and visual environment in accordance with Policies D5, G1, G5, G6 and G7 of the London Plan 2021, and Policies DC1, DC8, OS2 and OS5 of the Local Plan 2018.

28) Prior to the occupation of the development hereby permitted, the windows at first and second floor level in the east side elevation [shall be fitted with obscure glass to a minimum level of obscurity equivalent to Pilkington Texture Glass Level 3, and shall be non-opening and fixed shut up to a height of 1.7m above the finished floor level. The window(s) shall thereafter be permanently retained as approved.

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

29) Prior to occupation of the development hereby permitted, details of the installation including location and type of active electric vehicle charging point (minimum 7 kW) must be submitted to and approved in writing by the Local Planning Authority. Approved details shall be fully implemented prior to the occupation of the development and thereafter permanently retained and maintained.

To encourage sustainable travel in accordance with Policies GG3, D5, SI 1, T6 and T7 of the London Plan (2021), and Policies CC1 and T4 of the Local Plan (2018).

30) 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 must show how BNG will be achieved and should be prepared in accordance with the completed BNG Metric Spreadsheet prepared by Arborterra Ltd on the 20th February 2025. The applicant should use the template supplied by DEFRA: Biodiversity gain plan - GOV.UK.

Where relevant, the biodiversity gain plan must include:

- o 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;
- o the pre and post development biodiversity value of the onsite habitat;
- o any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- o any biodiversity credits purchased for the development;
- o plans of the existing and proposed habitats;
- o a valid metric calculation attached in excel form, which demonstrates that the minimum 10% objective has been achieved; and
- o 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. This must be secured either by a planning condition, planning obligation, or conservation covenant[1].

[1] Paragraph 14(2) of Schedule 7A TCPA 1990

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.

- 31) 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:

- o a non-technical summary;
- o the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- o 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;
- o proposed habitat details including species composition, requirements to reach the condition detailed in the metric, distinctiveness and any additional features such as log piles;
- o accompanying plans of the site boundary, baseline and proposed habitats, provided in GIS format;
- o 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
- o 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:

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

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.

**Justification for Approving the Application:**

- 1) The proposal would contribute towards the quantity of the borough's affordable housing stock. It is acceptable in visual terms and is considered to be of a high quality of design which would not adversely impact upon the setting of the nearby Conservation Areas. Subject to conditions the proposal would not result in unacceptable impacts upon the amenities of neighbouring residential properties. The new residential units comply the relevant standards and provide a good quality of accommodation for the new occupants. Highways, transportation and environmental matters including energy and sustainability, flood risk, air quality and land contamination have also been satisfactorily addressed and will be subject to conditions and a legal agreement. 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 Supplementary Planning Document (2018).

---

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

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

Application form received: 4th August 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:**

Environment Agency - Planning Liaison	21.08.25
Historic England London Region	19.08.25
Transport For London - Land Use Planning Team	26.08.25
Historic England London Region	28.08.25

## **Neighbour Comments:**

### **Letters from:**

661 Fulham Rd London SW6 5 PZ	17.09.25
65 Barclay Close Cassidy Road London SW6 5QQ	27.08.25
661 Fulham Road London SM3 5PZ	15.09.25
661 Fulham Road London SW6 5PZ	15.09.25
30 Barclay Close Cassidy Rd Fulham Sw6 5qg	26.08.25
8 Barclay Close. Cassidy Road London SW6 5QG	26.08.25
661 Fulham Rd Fulham Rd London SW6 5PZ	17.09.25
6 Barclay Close London SW6 5QG	17.09.25
661 Fulham Road London SW6 5PZ	15.09.25
17 Barclay Close London SW6 5QG	17.09.25
661 Fulham London SW6 5PZ	15.09.25
11 Barclays Close Cassidy Road Fulham Sw6 5QG	10.10.25
Flat 661, Fulham Road London SW6 5PZ	16.09.25
661 Fulham Rd London SW6 5PZ,	16.09.25
7 BARCLAY CLOSE London SW6 5QG	17.09.25
Flat 7, 7 Barclay Close Cassidy Road London SW6 5QG	17.09.25
3 Barclay Close London SW6 5QG	17.09.25
8 Fairways Teddington TW11 9PL	29.09.25

## **1.0 SITE DESCRIPTION**

- 1.1 The application site (0.107ha) consists of a tarmacked car park containing 12 parking spaces, the area to the front of Barclay Close Flats 1-20 and part of Barclay Close itself.
- 1.2 The site is located within a residential estate to the south east of Fulham Road, which consists of mixed use properties with commercial at ground floor and residential above which back on to the site. To the south west, is an electricity substation and beyond this are residential properties within Fulham Court. To the south east and north east along the opposite side of Barclay Close is a small area of open space and the Cassidy Medical centre along with other residential properties.

- 1.3 The site is outside but in close proximity to Fulham Town Centre to the north. The site has good public transport links, approximately 400m from Fulham Broadway Underground Station (District Line) and a similar distance to Parsons Green Station which is on the same line. There are also a number of bus stops close to the site serving various routes. The site has a PTAL rating of 4.
- 1.4 The site is within Flood Zone 3 in an area which benefits from flood defences. The site is not within a Conservation Area and does not contain any designated/non-designated heritage assets. However, it is near Walham Green Conservation Area which is to the north east on the opposite side of Cassidy Road.

## **2.0 RELEVANT PLANNING HISTORY:**

- 2.1 The relevant planning history is set out below:
- 2.2 In 2014 planning permission was approved (2013/04504/FR3) for the erection of a four storey residential building to provide 6 self-contained flats (1 x 1 bed and 5 x 2 bed self-contained flats) and associated landscaping. Permission not implemented.
- 2.3 In 2024, preapplication advice was sought on a scheme to provide 3 residential units, including affordable housing. Officers raised the following key issues:
  - Consideration of the housing typology and the unit mix.
  - Scale of development.
  - Articulation of the façade.
  - Need to provide rear amenity space at ground floor level along with windows to habitable rooms.
  - The need to include a full assessment of residential amenity in terms of privacy, outlook, and daylight and sunlight.
  - Possible wider benefits of the scheme including landscape improvements.
  - Location of cycle stores.
- 2.4 The scheme was also subject to review by the Inclusive Design Review Panel (IDRP), the primary comments were as follows:
  - Need for multi senses design principles to be used.
  - Impact upon privacy of neighbours from some of the landscaped areas.
  - Support for mixed tenure approved.
  - Privacy impacts from windows.

## **3.0 PROPOSAL**

- 3.1 The current proposal involves the redevelopment of the site to provide a 3 storey building containing 3 residential units (Class C3) together with public realm improvements between the building and the existing flatted development on Barclay Close.
- 3.2 The units would all be 4 bedroom consisting of 6 or 7 person houses. These units would be 100% affordable with 1 social rent and 2 shared ownership units. All units would be M4(2) accessible and adaptable units.

3.3 This application represents amended scheme following on from the expiry of planning permission 2013/04504/FR3, which allowed residential development on this site. The previous scheme comprised six flats within a three-storey building with a mansard-style roof. The current proposal differs primarily in the unit mix, now providing three larger terraced houses within a three-storey building with a flat roof. While the preceding permission is a significant material consideration, it was assessed against the previous Local Plan. In addition, the design has evolved as outlined above. Therefore, the current proposal must be assessed against up-to-date policy and guidance.

## **4.0 PUBLICITY AND CONSULTATIONS**

### **Preapplication Consultation**

4.1 The applicant undertook an extensive three-phase consultation process in June/July 2024, September 2024, and January 2025. This included pre-application discussions with the Council, meetings with neighbours, political stakeholders, and local interest groups. Engagement methods included in-person exhibitions, virtual and physical meetings, Residents' Steering Group (RSG) sessions, newsletters, and a dedicated project website with contact details. Consultation was widely advertised through letters, flyers, social media, and door-knocking, with accessible formats and translation options offered in line with the Defend Council Homes Policy.

4.2 Feedback indicated general support for new homes, alongside requests for improvements to existing estates. Design feedback favoured a simple, modern approach in keeping with local character, which was reflected in the final proposals. The applicant has committed to ongoing engagement during planning and construction, including continued RSG meetings to manage construction impacts and keep residents informed.

### **Statutory Consultation**

4.3 The Environment Agency raise no objection.

4.4 TFL raise no objection.

4.5 Historic England confirmed they had no comments on the application.

4.6 Greater London Archaeological Advisory Service confirmed they had no comments on the application.

### **Public**

4.7 The planning application was publicised by site and press notices together with 280 neighbour notification letters sent to properties.

4.8 In response, 17 objections were received from 10 separate addresses. The concerns raised can be summarised as follows:

Highway impacts  
- Loss of parking

- Force traffic and parking to other parts of the estate
- Impact upon pollution and air quality
- Residents pay for parking spaces
- Delivery and servicing

#### Visual Impact

- Scale of development
- Overdevelopment
- Impact on street scene

#### Neighbouring amenity

- Loss of light
- Impact upon outlook
- Loss of view
- Right to light
- Impact upon Mission Hall
- Noise and disturbance
- Use of 45 rather than 25 degree angle
- Damp and mould impact
- Loss of amenity space
- Loss of privacy

#### Construction issues

- Noise, hours of work, dust and pollution
- Air quality assessment not possible to guarantee mitigation measures will work

#### Other Matters

- Ground movement from construction in the area
- Possible structural and foundation issues to neighbouring buildings
- Drainage and plumbing issues
- Land ownership
- Boundary issues
- Maintenance of neighbouring building
- Lack of need for housing
- Wrong type of housing
- Level of affordable housing
- Impact on energy bills (from overshadowing)
- Impact on tree
- Lease and covenants

4.9 The matters relating to the visual impact of the development including its overall scale and massing are fully assessed in the design and character section of the report.

4.10 Neighbouring amenity is another matter which is considered extensively in the relevant section of the report. The daylight and sunlight assessment submitted with the application has been reviewed by officers and is considered to be accurate. The Mission Hall is not residential accommodation and therefore would not normally be assessed within such a report. Nonetheless the impact upon the use of this building will be considered within the assessment of the proposal. The 25 degree BRE test was used to inform the properties to be tested within the

detailed daylight and sunlight assessment carried out. Overall, the information submitted with the application is sufficient to fully assess this impact.

- 4.11 The daylight and sunlight assessment submitted with the application indicates a high level of compliance with BRE standards. Therefore, it is unlikely there would be an impact upon energy bills or damp and mould. Any existing issues with such matters would be between the tenant and the landlord.
- 4.12 Right to light is not a material planning consideration and therefore cannot be taken into account in any assessment. Any such issue would be a civil matter between the parties concerned. As set out about the impact upon daylight and sunlight is assessed within the relevant section of the report.
- 4.13 The impact upon outlook is a material consideration and is assessed in the amenity section of the report. However, the loss of a view cannot be considered in the assessment of an application. Privacy impacts are a consideration and assessed within the report.
- 4.14 The proposal is for a relatively limited residential development within the urban area. Therefore, the intensity of the use is unlikely to result in significant amenity impacts such as noise. This overall noise impact is assessed within the report.
- 4.15 The proposed building would be constructed on an existing parking area as opposed to usable amenity space. Furthermore, the scheme includes improvements to public realm which would represent a benefit of the scheme in terms of providing usable amenity space to existing and future residents.
- 4.16 Matters relating to land ownership, boundary issues, maintenance/damage to neighbouring buildings and existing leases/covenants would not be a material planning consideration. Again, these would be issues which would need to be resolved separately between the applicant and the relevant party.
- 4.17 In terms of structural issues including ground movement and the impact upon surrounding drainage the proposal would need to be carried out in accordance with relevant building regulations. Furthermore, the overall scale of the development is relatively limited and unlikely to result in significant ground movement.
- 4.18 Concerns regarding construction disturbance are noted. However, various documents were submitted with the application to show that the works would be carried out in an appropriate manner. This includes an Outline Construction Environmental Management Plan and an Air Quality Assessment. The mitigation measures outlined would help to limit the impact of the works. Furthermore, conditions are recommended to ensure that this is the case. Any statutory nuisance arising would also be controlled by separate environmental health legislation.
- 4.19 With regards to housing need there is an identified need for housing within the Borough and in particular for family sized housing. The units provided would all be affordable (one social rent, two shared ownership).

4.20 The concerns regarding the loss of parking and the impact upon traffic and parking in the area are noted. A full transport assessment was submitted with the application which assesses this impact. This is considered in the relevant section of the report. It is important to note that the new development will be secured as car free via a legal agreement preventing future occupiers applying for a parking permit.

4.21 An arboricultural impact assessment was submitted with the application which assesses the impact upon the nearby tree.

### **External Consultees**

4.22 The Environment Agency raise no objection.

4.23 The Greater London Archaeological Advice Service raise no objection.

## **5.0 POLICY FRAMEWORK**

5.1 The Town and Country Planning Act 1990, the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011 are the principal statutory considerations for town planning in England.

5.2 Collectively the three Acts create a plan led system which requires local planning authorities to determine planning applications in accordance with an adopted statutory development plan unless there are material considerations which indicate otherwise (section 38(6) of the 2004 Act as amended by the Localism Act).

5.3 In this instance the statutory development plan comprises the London Plan (2021) and the Local Plan (2018). A number of strategic and local supplementary planning guidance and other documents are also material to the determination of the application.

### **National Planning Policy Framework (2024)**

5.4 The National Planning Policy Framework (NPPF) came into effect on 27 March 2012 and was most recently revised in 2024 and is a material consideration in planning decisions. The NPPF, as supported by the Planning Practice Guidance (PPG), sets out national planning policies and how these are expected to be applied.

5.5 The NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up to date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

### **London Plan**

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

## **Local Plan**

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

## **6.0 PLANNING ASSESSMENT**

6.1 The main considerations material to the assessment of this application can be summarised as follows:

- a) Principle of the development, housing / housing supply
- b) Quality of residential accommodation
- c) Accessibility and secure by design
- d) Design and the impact on character and appearance of the area
- e) Impact upon neighbouring amenity
- f) Highways / parking and refuse / recycling
- g) Land contamination
- h) Flood risk
- i) Air quality
- j) Sustainability and energy
- k) Community infrastructure levy
- l) Other Matters

## **LAND USE**

### **Residential Use**

6.1 Policy H1 (Increasing housing supply) of the London Plan requires an annual average of 66,000 net additional homes to be delivered with Table 4.1 setting an annual target of 1609 net additional dwellings for Hammersmith and Fulham. Policy HO1 of the Local Plan, which was based upon the previous London Plan seeks to exceed an annual target of 1031 until 2025 and continue to seek a minimum of 1031 net additional dwellings per year up until 2035.

6.2 The proposal would provide 3 residential units which would make a small but valuable contribution towards the Borough's housing targets. Therefore, the proposal accords with Policy H1 of the London Plan and Policy HO1 of the Local Plan 2018.

6.3 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 0.107 hectares in size and therefore represents a small site for the purpose of this policy. Officers consider that the proposed 3-unit scheme on this small site would make efficient use of this land. The proposals would accord with Policy H2 and would contribute to the overall housing need in the Borough.

6.4 Local Plan Policy HO4 expects housing in existing residential areas to be predominantly low to medium density and to consist of low to medium rise developments, it recognises that high density development may be appropriate in highly accessible areas, subject to design, compatibility with local contexts and transport impacts and highway capacity. It adds that high density housing with limited car parking can help ensure housing output is optimised and may be appropriate in locations with high levels of PTAL, provided it is compatible with the local context and principles of good design and is satisfactory in other respects.

6.5 The site is in Public Transport Accessibility Level (PTAL) 4 using Transport for London's methodology, indicating that it has a good accessibility by public transport. The proposed development, (0.107 hectares) would result in a residential density of approximately 28 units per hectare. This moderate level of density is compatible with its location in an area with good access to public transport. Furthermore, the scale of the building would conform with the character of the wider area. As a result, the density of development is considered to be acceptable and would make the efficient use of a small site to provide units for which there is an identified need within the urban area.

### **Housing Mix**

6.6 Policy H05 of the Local Plan seeks to ensure that developments provide a mix of housing types and sizes, in particular, it seeks to increase the proportion of family accommodation. Developments should aim to meet the following mix subject to viability, locational characteristics and site constraints being considered on a site by site basis:

- for social and affordable rented housing approximately:
  - 1 bedroom: 10% of units;
  - 2 bedrooms: 40% of units;
  - 3 bedrooms: 35% of units;
  - 4+ bedrooms 15% of units;
- for intermediate housing approximately:
  - 1 bedroom: 50%;
  - 2 bedroom: 35%;
  - 3 or more bedrooms: 15% of units;
- for market housing, a mix of unit sizes including larger family accommodation.

6.7 The unit mix would be as follows:  
4 bed (b) 6 person (p): 2 units (66%)  
4b7p: 1 unit (33%)

6.8 Given the physical site constraints of this small site and the inclusion of family-sized units, which is specifically supported by policy, the proposed unit mix is considered appropriate. The proposed development would contribute to identified housing need within the Borough and accord with Policy H05 of the Local Plan.

## Affordable Housing

6.9 London Plan Policy H4 requires affordable housing on sites delivering 10 or more homes. Similarly, Local Plan Policy HO3 applies to developments of 11 or more self-contained dwellings. As this proposal comprises only three dwellings, the formal requirement for affordable housing is not triggered.

6.10 Policy HO3 requires that affordable housing should be provided in line with the following:

- a. a borough wide target that at least 50% of all dwellings built should be affordable;
- b. 60% of additional affordable housing should be for social or affordable renting, especially for families and 40% should be a range of intermediate housing;
- c. affordable dwellings should be located throughout a new development and not concentrated on one part of the site;
- d. the provision of affordable rented and social rented housing in ways that enable tenants to move into home ownership.

6.11 There is no policy requirement for affordable housing in this instance; however, all three units would be delivered as affordable homes. Although the proposed tenure mix does not accord with Policy HO3, this should be considered in light of the clear need for the types of affordable family units being provided. Overall, the proposed affordable housing provision represents a positive contribution and should be given significant weight in the assessment of the application.

## QUALITY OF RESIDENTIAL ACCOMMODATION

### Internal Space

6.12 HO11 of the Local Plan (2018) outlines that developments must provide housing that will meet the needs of future occupants and respect the principles of good neighbourliness. London Plan Policy D6 outlines housing quality and standards including internal space standards.

6.13 Unit sizes - Table 1.3 of policy D.6 of the London Plan (2021) sets out space standards for different residential units. For the units proposed as part of this scheme the standards would be as follows:

4b6p – 112sqm (both units 120.3sqm)  
4b7p – 121sqm (137.7sqm)

6.14 All the units would exceed the relevant standards for their given occupancy. As a result, the units would be of a sufficient size to provide a suitable internal living arrangement.

### Outlook and Daylight & Sunlight

6.15 In terms of outlook the plans demonstrate that all units would be dual aspect. Furthermore, a daylight and sunlight assessment was submitted with the application which includes an assessment of the daylight levels provided to the new residential units. This was carried out using the 2022 BRE Daylight and

Sunlight guidelines and consists of an assessment based on the Climate Based Daylight Modelling (CBDM) methodology which replaced the old Average Daylight Factor (ADF) methodology. The new CBDM methodology is based on the British Standard 'Daylight in Buildings' (BS EN17037). This contains advice and guidance on interior daylighting for all buildings across Europe but also has a UK National Annex which provides suggested targets for dwellings in the UK.

6.16 In this instance the assessment shows that 86% of rooms assessed within the proposed development achieve the target median illuminance for their room use. This represents an excellent overall level of compliance with the internal daylight targets. The sunlight assessment indicates a lower level of compliance at 38%, however out of 13 rooms failing this criteria 12 rooms were north facing. Overall, the level of daylight provided to units within the development would be good. Therefore, it is considered that the proposal would provide a suitable standard of amenity for future occupiers.

### Ceiling Heights

6.17 Policy D6 of the London Plan (2021) specifies a minimum floor to ceiling height of 2.5m for at least 75 per cent of the Gross Internal Area of each dwelling. The flats have been designed to have ceiling heights significantly in excess of 2.5m. Therefore, all the units would comply with the London Plan requirements on ceiling heights which indicates a good standard of accommodation.

### Noise

6.18 Paragraph 10.8 of the Planning Guidance SPD (2018) specifies that poor design and layout of rooms often lead to neighbour noise complaints, and accordingly Key Principle NN3 of the Planning Guidance SPD (2018) expects all parts of adjoining dwellings to enhance the sound insulation, including where the adjoining room is of a similar use.

6.19 A Noise Impact Assessment was submitted with the application which was reviewed by the Council's Public Protection team who confirmed that they were satisfied with its findings and that surrounding noise sources would not adversely impact upon the amenity of occupiers. However, in order to ensure suitable internal noise levels conditions would be attached in respect of plant equipment and sound proofing between different room types. Subject to these conditions, the proposal would provide an acceptable living environment for occupiers in accordance with Policies CC11 and CC13 of the Local Plan (2018) and Key Principle NN3 of the Planning Guidance SPD (2018).

### **External amenity space**

6.20 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. It is also required that all new dwellings have access to an area of amenity space appropriate to the type of housing being provided. London Plan D6 sets out that a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant.

6.21 This policy would generate a requirement of between 9-10sqm for the units within the proposal. The rear amenity space for the units ranges from 16.6sqm to 24.8sqm. This is in excess of the minimum standards and would provide reasonable private amenity space for each unit particularly in the context of a site which is close to a town centre and public amenity space. As a result, it is considered that the level of external amenity space provision is acceptable and would provide a suitable residential environment for future occupiers.

6.22 In this instance, communal amenity space would be provided by upgrading the existing space to the front of 1-20 Barclay Close Flats. This would represent an improvement to the existing estate in terms of amenity space and would provide usable space for existing residents. This is a positive benefit of the scheme which provides a wider benefit which weighs in favour of the scheme.

## **ACCESSIBILITY AND SECURE BY DESIGN**

### **Accessibility**

6.23 In accordance with the London Plan Policy D7 and Local Plan Policy HO6 the standards for access require 90% of the units to be built to building regulations standard M4(2), with the remaining 10% built to M4(3). In this instance 3 of the units would be built to M4(3) wheelchair accessible standard whilst the remainder would all be M4(2). The entrance to the communal areas and external areas are designed with accessibility in mind and a lift has been provided which meets the requirements of Part M of the Building Regulations. Therefore, the proposal would comply with this standard and provide suitable accessibility for all potential occupiers in accordance with London Plan Policy D7 and Local Plan Policy HO6.

6.24 In accordance with London Plan Policy D7 and Local Plan Policy HO6, new residential development is expected to provide 90% of units to Building Regulations standard M4(2) (accessible and adaptable dwellings) and the remaining 10% to M4(3) (wheelchair user dwellings). For this proposal, all three houses have been designed to meet M4(2) standards, ensuring that they are accessible and adaptable for a wide range of occupiers. Due to the constrained nature of the site and the layout of the houses, it is not feasible to incorporate a lift or achieve full M4(3) compliance without compromising the functionality and viability of the scheme. The design nonetheless maximises accessibility by providing level thresholds, generous circulation space, and ground-floor WCs capable of future adaptation. On this basis, the proposal is considered to provide suitable accessibility in accordance with London Plan Policy D7 and Local Plan Policy HO6.

6.25 The above approach is consistent with the guidance on Policy D7, which recognises that the requirement for wheelchair user dwellings (M4(3)) must be applied proportionately and with regard to site-specific constraints. For small-scale developments of individual houses, it is accepted that achieving M4(3) may not be practical where lifts cannot be accommodated without significant design compromise. In such cases, ensuring all units meet M4(2) and incorporating features that allow future adaptation is considered an appropriate and policy-compliant solution.

## DESIGN AND HERITAGE

### Design

6.26 The National Planning Policy Framework (NPPF 2024) recognises that creation of high-quality buildings and places is a core objective of the planning and development process. 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.

6.27 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".

6.28 Local Plan (2018) 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.

6.29 Policy DC2 states 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. All proposals must be designed to respect:

- a. the historical context and townscape setting of the site, and its sense of place;
- b. the scale, mass, form and grain of surrounding development and connections to it;
- c. the relationship of the proposed development to the existing townscape, including the local street pattern, local landmarks and the skyline;
- d. the local design context, including the prevailing rhythm and articulation of frontages, local building materials and colour, and locally distinctive architectural detailing, and thereby promote and reinforce local distinctiveness;
- e. good neighbourliness and the principles of residential amenity;
- f. the local landscape context and where appropriate should provide high quality landscaping and public realm with good permeability;
- g. sustainability objectives; including adaptation to, and mitigation of, the effects of climate change;
- h. the principles of accessible and inclusive design; and
- i. principles of Secured by Design.

6.30 Policy DC8 of the Local Plan (2018) states that the council will conserve the significance of the borough's historic by protecting, restoring, and enhancing its heritage assets, including conservation areas. Furthermore, proposals should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

## Context

6.31 The site is located within a residential estate to the south east of Fulham Road, which includes a mix of commercial and residential uses. In terms of scale the buildings within the estate are between 5 to 8 storeys. To the north of the site are slightly smaller scale 2 and 3 storey buildings along Fulham Road and Cassidy Road. The immediate surroundings also include 3-storey blocks and larger 4–5 storey buildings, creating a mixed but coherent urban character. As a result, the overall character of the area is somewhat varied although there are clear typologies in different individual areas around the site with a tendency towards larger residential blocks.

6.32 The site is not within a Conservation Area and does not contain any designated/non-designated heritage assets. However, it is close to Walham Green Conservation Area which is to the north east on the opposite side of Cassidy Road. Fulham Fire Station, a Grade II Listed building is located approximately 150m to the south of the site. Therefore, as well as assessing the impact upon the street scene and general character of the area consideration must also be given the impact upon the setting of these heritage assets.

## Height, Scale, and Massing

6.33 The proposal would consist of a 3 storey, flat roofed, brick building with a frontage along Barclay Close. The building would be set back approximately 3.6m from the road which be slightly behind the forward building line established by the 3 storey flank elevation of No.661 Fulham Road. Whilst the building would be located up to the boundary with the Mission Hall immediately to the north west there would be a reasonable separation from the main rear elevation of the properties fronting Fulham Road to ensure that in the street scene there is some relief between these buildings. This would also be the case with the 1-20 Barclay Close Flats.

6.34 The proposed site is located in an open area, predominantly of hardstanding, within the Barclay Close Estate that is currently used for car parking and vehicular access. It is bounded to the north-west by a block comprising 661-663 Fulham Road and to the south-west by a two-storey wall that separates it from the adjoining Fulham Court Estate. Its south-eastern boundary is formed by an existing 5-storey apartment building within the Barclay Close Estate. The north-eastern boundary is also open and adjoins an area of enclosed lawn with a large, mature tree that is set behind 653-659 Fulham Road. The site includes an estate service road that connects to Fulham Road via Cassidy Road (South).

6.35 The proposed development comprises a terrace of three flat-roofed, 3-storey houses situated in the north-west corner of the site that is framed by an existing building, comprising a single-storey plus pitched roof, that extends along the rear of 661-663 Fulham Road and the existing two-storey boundary wall with Fulham Court Estate. It would be complemented by the proposed improvements to the adjoining public realm, which includes the creation of areas of soft landscaping and tree planting around the neighbouring apartment building and within a re-ordered street layout.

6.36 The terrace is set back from the existing pavement line to create shallow, private front yards to each house. It is also set back from the boundary with Fulham Court Estate to create rear courtyard amenity spaces. It is proposed to reduce the height of the boundary wall to improve sunlight and daylight in these amenity spaces as well as the interiors of the houses.

6.37 The proposed 3-storey height of the terrace is complementary to its predominantly 3-5 storey neighbours in terms of scale and building form. The new terrace would become an extension of the existing frontage on Cassidy Road and would introduce an element of enclosure to what is currently an open and generally featureless space.

6.38 The architectural treatment of the proposed building facades is a contemporary interpretation of traditional terraced housing, being faced with buff brickwork with decorative elements and features in contrasting brown and white brickwork. The windows are metal-framed, in a controlled range of sizes and fenestration patterns. Overall, the facades have visual balance and interest achieved through the ordered composition of window openings which are framed by decorative brickwork.

6.39 The landscape design would reduce the extent of hardstanding by simplifying the existing roadway, introducing new footways and creating new areas of soft landscape. The number of car parking spaces would be reduced and their locations and layout rationalised to reduce the visual impact of cars within the public realm and to reduce the likelihood of uncontrolled car parking. A variety of surface materials related to different functions would contribute to improved visual order and ease of navigation for pedestrians and motorists alike.

6.40 Existing small patches of lawn would be replaced with more extensive areas of flower-rich shrub planting and hedge planting that would create a more interesting visual topography while also providing privacy screening to new and existing buildings at ground level. Areas of lawn would be consolidated and limited to a new play area tucked between the end of the proposed new terrace and the existing apartment block, and to the eastern end of this block.

6.41 Views from Fulham Road, Cassidy Road and within the estate would be improved, through the removal of existing vehicle gates, the rationalisation and realignment of parking bays, and the introduction of new trees and ground cover planting.

6.42 The scale and form of the proposed buildings are considered to be respectful of the scale, mass, form and grain of surrounding buildings and connections to the site. The design of the proposed buildings and the proposed materials and detailing are considered to be respectful of the local design context. The proposed landscape and public realm design is considered to be of high quality and to contribute to good permeability.

6.43 It is considered that the proposal would be a high quality development which would respect the scale and visual appearance of the locality and would make a positive contribution to the urban environment in this part of the Borough and will preserve the setting of the nearby heritage assets. The development would therefore be acceptable in accordance with the NPPF (2024), London Plan (2021) Policies HC1 and D3, Policies DC1, DC4, and DC8 of the Local Plan (2018).

## RESIDENTIAL AMENITY

6.44 Local Plan Policy HO11 states that proposals for extensions will be considered acceptable where it can be demonstrated that there is no detrimental impact on:

- Privacy enjoyed by neighbours in adjoining properties;
- Daylight and sunlight to rooms in adjoining properties;
- Outlook from windows in adjoining properties; and

6.45 Policies DC1 and DC4 require all proposals for new builds and extensions to be formulated to respect the principles of good neighbourliness. Planning Guidance SPD Housing Key Principles 6, 7 and 8 support Local Plan Policy HO11 and set out a more detailed means of assessment.

6.46 The nearest neighbouring residential properties are Nos.1-32 Ash House and the flats within Nos.661 and 663 Fulham Road to the west, Nos.659C and 659D to the north, 1-20 Barclay Close Flats to the east and No.106 Fulham Court to the south. It is important to note that the previously approved scheme was considered against similar BRE guidance and this consisted of a building in a similar location with longer flank walls (by approximately 1.4m) and a greater maximum height due to the mansard style roof addition which resulted in a building 2m taller than the current proposal.

6.47 In addition to the neighbouring residential properties there are also commercial units along Fulham Road and within the immediately adjacent Mission Hall. Whilst the proposal would impact upon light to a number of openings within these units this would not be to such an extent that it would significantly impact upon the usability of these spaces. Furthermore, given the use there would not be a residential amenity impact.

### Outlook

6.48 In terms of outlook the most directly impacted neighbours would be within No.661 and 663 Fulham Road and the closest flats in 1-20 Barclay Close Flats as these properties directly face the flank walls of the proposed building. With regards to the Fulham Road properties the proposal would maintain a separation distance of some 8.4m to the main rear elevation of this terrace with a shorter separation distance of approximately 4.8m at its closest point. In terms of the windows in the main rear elevation at first and second floor level there would be some impact on outlook, however the proposal would not breach the 45 degree angle to these windows as set out in policy HS7. Whilst these windows currently benefit from unimpeded outlook as a result of the openness of the site the view afforded is not a material planning consideration and the retained separation distance is considered to afford a reasonable level of outlook, particularly in the context of an urban area.

6.49 The windows in No.663 nearest to the development are offset from the proposal's rear elevation which would allow for significant outlook to be retained to the south east of the site. Given this retained outlook and the reduced impact compared to the previously approved scheme it is considered that the level of outlook would remain within acceptable limits.

6.50 In relation to the nearest units within 1-20 Barclay Close the proposal would retain a separation distance of some 10.1m. Notably, the proposal would not breach the 45 degree line when taken from these windows. Whilst the proposal would introduce a relatively high wall facing these windows the overall separation distance is considered sufficient to ensure that an acceptable level of outlook would be retained to these windows.

6.51 Overall, the development would not result in an unacceptable loss of outlook or increased sense of enclosure to adjacent properties complying with Policies DC1, DC4 and HO11 of the Local Plan (2018).

### **Daylight and Sunlight**

6.52 The Council has regard to the guidance set out in Building Research Establishments' (BRE) Report 2022 "Site Layout Planning for Daylight and Sunlight - A guide to good practice". This guidance is used as aid to prevent and/or minimise the impact of a new development on the availability of daylight and sunlight in the environs of the site. Although it provides numerical guidelines, these should be interpreted flexibly because natural lighting is only one of many factors in site layout design.

6.53 Vertical Sky Component (VSC) - VSC is a measure of the direct skylight reaching a point from an overcast sky. It is the ratio of the illuminance at a point on a given vertical plane to the illuminance at a point on a horizontal plane due to an unobstructed sky. For existing buildings, the BRE guideline is based on the loss of VSC at a point at the centre of a window, on the outer plane of the wall. The BRE guidelines state that if the VSC at the centre of a window is less than 27%, and it is less than 0.8 times its former value (i.e. the proportional reduction is greater than 20%), then the reduction in skylight will be noticeable, and the existing building may be adversely affected.

6.54 No-Sky Line (NSL) - NSL is a measure of the distribution of daylight within a room. It maps out the region within a room where light can penetrate directly from the sky, and therefore accounts for the size of and number of windows by simple geometry. The BRE suggest that the area of the working plane within a room that can receive direct skylight should not be reduced to less than 0.8 times its former value (i.e., the proportional reduction in area should not be greater than 20%).

6.55 Annual Probable Sunlight Hours (APSH) - In relation to sunlight, the BRE recommends that the APSH received at a given window in the proposed case should be at least 25% of the total available, including at least 5% in winter. Where the proposed values fall short of these, and the absolute loss is greater than 4%, then the proposed values should not be less than 0.8 times their previous value in each period (i.e., the proportional reductions should not be greater than 20%).

6.56 With reference to the overshadowing of outdoor amenity space the guidance suggests that all open spaces should have minimum 2 hours of sun on at least 50% of their area, on the 21st of March (Equinox), for them to be considered adequately sunlit.

6.57 An assessment of VSC was undertaken for 49 windows serving habitable rooms in surrounding properties. The results show that 42 windows (86%) and 42 rooms (86%) meet or exceed the BRE guideline target of 27% VSC. In summary:

- Ash House (1–32): All 6 windows assessed meet BRE targets.
- Barclay Close (1–20): 26 of 30 windows (87%) comply. Four rooms fall below the target: three experience minor adverse impacts (retaining over 70% of existing VSC), and one kitchen in Flat 4 would experience a moderate adverse impact (63% of existing VSC).
- 659C & 659D Fulham Road: All 6 windows comply.
- 661 Fulham Road: One first-floor bedroom falls below the target with a minor adverse impact (78% of existing VSC).
- 663 Fulham Road: Two first-floor bedrooms fall below the target with minor adverse impacts (75% and 76% of existing VSC).
- 106 Fulham Court: The single window assessed meets BRE targets.

6.58 Overall, the majority of windows and rooms comply with BRE guidance, and where shortfalls occur, the impacts are assessed as minor, with only one room experiencing a moderate adverse impact. While a small number of rooms fall below BRE targets, the shortfalls are limited in scale and severity, with most affected rooms retaining a high proportion of their existing daylight levels.

6.59 In terms of the NSL assessment the results show that all 49 rooms (100%) meet or exceed the BRE guideline target, which requires no less than 80% of the proposed lit area or 80% of the existing value. The NSL results confirm that the proposal fully meets BRE guidance for daylight distribution, with no adverse impacts identified. This demonstrates that the scheme provides an acceptable level of internal daylight for neighbouring properties.

6.60 An assessment of APSH was undertaken for 18 windows serving habitable rooms. 17 windows (94%) meet or exceed BRE guideline targets, which require at least 25% annual sunlight or 80% of the existing value, and at least 5% winter sunlight or 80% of the existing value.

- Ash House (1–32): All 6 rooms comply.
- 659C & 659D Fulham Road: All 6 rooms comply.
- 661 Fulham Road: Both rooms comply.
- 663 Fulham Road: Three rooms comply; one first-floor bedroom falls below the target. This room would receive 23 annual suns (77% of existing) and no winter suns (0% of existing), compared to a target of 25 annual suns and 5 winter suns. However, its existing winter sunlight level is already very low (3 suns), so the relative impact is minor in the context of overall annual sunlight.

6.61 The assessment demonstrates that the vast majority of rooms comply with BRE sunlight guidance, and the single shortfall relates to a bedroom already experiencing poor winter sunlight.

6.62 In terms of impact upon sunlight and the overshadowing of garden areas Three spaces were assessed with the following results:

- 661 Fulham Road: Retains 96% of its existing lit area, exceeding BRE targets.
- 663 Fulham Road: Retains 97% of its existing lit area, exceeding BRE targets.

- Communal Open Space (rear of 653–659 Fulham Road): Retains 100% of its existing lit area, exceeding BRE targets.

6.63 This includes the roof terrace to No.661 which is in close proximity to the proposal but as well as suitable light would also retain significant outlook to the north and south. Overall this assessment confirms that amenity spaces will not be significantly overshadowed by the proposed development and will remain adequately lit.

6.64 The assessments confirm that the vast majority of windows, rooms, and amenity spaces comply with BRE guidance. Where shortfalls occur, they are limited in number and severity, with most affected rooms retaining high proportions of existing daylight and sunlight. Whilst there is a single moderate impact the overall performance is acceptable in an urban context. BRE guidance allows flexibility in dense urban environments, and the results are considered reasonable given the site constraints and benefits of the scheme. On balance, these minor shortfalls do not warrant refusal.

6.65 Officers have fully considered the Daylight and Sunlight report submitted by the applicants and have no reason to disagree with its findings. The report demonstrates that the proposals would not result in a significant loss of light to surrounding neighbours who would still have sufficient access to daylight and sunlight complying with Policies DC1, DC4 and HO11 of the Local Plan (2018).

## Privacy

6.66 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. Key Principle HS8 (i) sets out that permission will not be granted for roof terraces or balconies if the use of the terraces or balcony is likely to cause harm to the existing amenities of neighbouring occupiers by reason of noise and disturbance; or if it would result in an additional opportunity for overlooking or result in a significantly greater degree of overlooking and consequent loss of privacy.

6.67 The primary outlook from the front and rear facing windows of the building would be across the open space to the north and along Fulham Court to the south. Whilst there would be some angled views towards properties in both directions these would be at reasonable separation distance and across the public domain where a level of mutual overlooking is expected.

6.68 There are no windows proposed in the elevation facing Fulham Road and the secondary openings facing 1-20 Barclay Close Flats would be obscure glazed. Given the proximity and direct views from these windows it is considered appropriate to attach a condition requiring these windows to be obscure glazed and fixed shut. On this basis these windows would not result in a significant loss of privacy.

6.69 Overall, the proposal would not result in a significant loss of privacy or overlooking. In this regard the proposed development complies with Policies DC1, DC4 and HO11 of the Local Plan (2018).

## **Noise and Disturbance**

6.70 Policy CC11 and HO11 relate to noise and neighbouring amenity 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.

6.71 The proposed residential development in this urban setting is unlikely to result in an intensity of use which would significantly impact upon neighbouring amenity. The communal amenity space to the south east retains a suitable buffer from the nearest neighbours and is also small in scale ensure that it would not result in significant noise disturbance. The proposal is therefore considered to be consistent with Policy HO11 and CC11 of the Local Plan (2018).

6.72 There is various plant associated with the development including Air Source Heat Pumps and conditions would be attached to control noise/vibration associated with this. On this basis, the proposal is in accordance with Policies CC11 and CC13 of the Local Plan and Key Principle NN4 of the Planning Guidance SPD.

## **HIGHWAYS AND TRANSPORTATION**

6.73 Paragraph 115 of the NPPF states that applications for development should ensure that appropriate opportunities to promote sustainable transport modes are taken and that safe and suitable access to sites can be achieved. Paragraph 116 states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual impacts on the road network would be severe.

6.74 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.

6.75 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'.

6.76 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".

6.77 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.

6.78 The above policies are supported by Key Principles TR1 -TR4, TR7, TR21 and TR27 of the Planning Guidance SPD.

6.79 Local Plan Policy CC7 sets out the requirements for all new developments to provide suitable facilities for the management of waste. Planning Guidance SPD Key Principles WM1, WM2, WM4, WM6, WM7 and WM11 are also applicable which seek appropriate storage and collection arrangements for refuse and recycling.

### **Car parking**

6.80 Local Plan Policy T1 sets out borough wide targets to promote and support initiatives to encourage a modal shift away from private vehicles, in order to improve congestion and air quality within the borough. Local Plan Policy T4 states that car parking permit free measures will be applied to all new development unless evidence is provided to show that there is a significant lack of public transport available.

6.81 In this case, the development would result in the loss of 11 car parking spaces compared to the existing situation. In total, 12 existing spaces within the car park would be lost and 7 spaces would be provided within the reconfigured road layout. A parking survey was submitted as part of the application which demonstrated an average parking stress of 56% on the public highway and 45% on the estate during the day. At night the level of occupancy remained relatively similar with a parking stress of 48% on the public highway and 46% on the estate. This represents a low level of overall parking stress within the area and whilst it would remove some spaces in this part of the estate the overall survey shows there is a significant surplus of parking spaces.

6.82 The site has a PTAL 4 score of using Transport for London's methodology, indicating that it has good public transport accessibility. The Council's Highways Team have assessed the proposal in relation to parking and have confirmed that the proposed residential units must be car permit free and to accord with Local Plan Policy T4. Subject to a legal agreement to secure car free parking, the loss of the loss of the existing parking area is considered acceptable and in line with Local Plan Policies T1 and T4.

### **Cycle Parking**

6.83 London Plan Policies T2 Healthy Streets and T5 Cycling (Table 10.2 and Figure 10.3) set out the need to provide suitable on site cycle storage for a development. 2 spaces would be provided per unit within dedicated cycle stores in the rear garden of each property. This would comply with the relevant standards and provide suitable secure and covered storage for each unit. A condition will be imposed in relation to the implementation of this storage.

### **Refuse**

6.84 Local Plan Policy CC7 states that new developments, including conversions should aim to minimise waste and should provide convenient facilities for future occupiers. The proposal would provide dedicated bin stores to the front of each unit. The capacity would comply with the requirements set out in key principle WM7 and is considered to be appropriate.

## **Delivery and Servicing**

6.85 Local Plan Policy T2 states that all development will be assessed for their contribution to traffic generation and their impact on congestion. The existing and potential availability of public transport, and its capacity to meet increased demand will also be assessed for any development. Given the small number of units proposed, it is considered that there would be some limited additional delivery and servicing activity and the majority of these are likely to be linked to existing trips (e.g. to adjacent, existing properties in the Estate). These additional movements and would mainly involve pedal cycles, motorcycles, cars or light vans. On this basis it is considered that this would not result in a significant highway impact.

## **Construction Logistics Plan**

6.86 The main impact of the development in highway terms would be at the demolition and construction stages. In accordance with Local Plan Policy T7 and Planning Guidance SPD Key Principle TR21 a draft Demolition and Construction Logistics Plan has been submitted.

6.87 The submitted outline CLP has demonstrated that the construction of the proposed development is not likely to have a significant impact on the local highway network. However, a detailed Construction Logistics Plan will be secured by a condition.

## **ENVIRONMENTAL MATTERS**

### **Sustainability and Energy**

6.88 Local Plan Policy CC1 requires major developments to implement energy conservation measures by implementing the London Plan sustainable energy policies and meeting associated CO<sub>2</sub> reduction target and demonstrating that a series of measures have been taken to reduce the expected energy demand and CO<sub>2</sub> emissions. It requires the use of on-site energy generation to further reduce CO<sub>2</sub> emissions where feasible.

6.89 The proposed development incorporates a range of measures to reduce carbon emissions and improve energy performance. This consists of high-efficiency, high-temperature air source heat pumps (ASHPs), photovoltaic (PV) panels will be installed on the roof to generate on-site renewable electricity and the building would include high-quality insulation and exceptional airtightness, minimising heat loss and improving overall energy efficiency. These measures collectively support compliance with London Plan sustainability policies and contribute to the borough's objectives for reducing carbon emissions and promoting sustainable development.

### **Flood risk**

6.90 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'.

6.91 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.

6.92 Local Plan Policy CC3 requires that new development is required to reduce the use of water and to minimise current and future flood risk. This is supported by Policy CC4 which seeks that developments manage surface water run-off and requires all major developments to implement SuDS and to provide a sustainable drainage strategy.

6.93 The SuDS, and Flood Risk and Water Efficiency Chapters of the Planning Guidance SPD support the above.

6.94 The application is accompanied by a Flood Risk Assessment (FRA). The FRA identifies that the site is in the Environment Agency's Flood Zone 3. Although the site is in Flood Zone 3, it is well defended by existing flood defences such as the Thames Barrier and river walls. The site is not in a flooding hotspot for surface water and as no basement level is proposed, groundwater and internal sewer surcharge risks are low.

6.95 The FRA sets out that minimum floor levels are set to protect entrances against ingress and the plans show finished floor levels at 5.250mAOD which is well above the predicted floodwater levels from either a surface water flood event or flooding from the Thames. As a result, it is considered that the proposed units would be acceptable in terms of flood risk.

6.96 The proposed drainage strategy includes an attenuation tank which has suitable capacity to prevent flooding in a storm event. Whilst limited information has been provided on the final drainage strategy the applicant has indicated that a rainwater harvesting tank can be explored at the detailed design stage. Furthermore, it may be feasible to include water butts to collect rainwater for irrigation. The existing site is predominantly hardstanding and the intention is to provide permeable paving alongside landscaping which will be co-ordinated with the landscape architects and included in the detailed design stage. Therefore, subject to condition requiring the implementation of the attenuation tank alongside further details in relation to rainwater harvesting and permeable surfaces it is considered that the proposal is acceptable with regards to surface water drainage.

## Air Quality

6.97 London Plan Policy SI 1 states that development proposals should not lead to deterioration of existing poor air quality, create any new areas that exceed air quality limits or create unacceptable risk of high levels of exposure to poor air quality.

6.98 Local Plan Policies CC1 and CC10 seeks to reduce potential adverse air quality impacts arising from new developments and sets out several requirements. These are supported by Planning Guidance SPD Key Principles AQ1 to AQ5.

6.99 The development site is within the borough wide Air Quality Management Area (AQMA) and an area of existing poor air quality due to the road traffic emissions from Fulham Road. The development proposal will introduce new residential receptors into this area. Further Mitigation measures will be required to make the development acceptable in accordance with Local Plan Policy CC10 and London Plan Policy SI 1 (2021). On this basis, the Council's Environmental Quality officer has considered the proposal and has recommended conditions relating to the installation of hoarding, submission of an air quality dust management plan, submission of a ventilation strategy, a green vegetation barrier and details of the installation of Zero Emission /Air Source Heat Pumps or Electric Boilers for space heating and hot water, indoor air quality, waste water recovery, solar battery, cargo bike infrastructure and the submission of details of emission control Non-Road Mobile Machinery (NRMM) and On Road Vehicles.

6.100 Whilst the comments regarding the need for a number of these measures are noted it is important that conditions are only imposed where reasonable and necessary to the development proposed and meet the tests set out within the NPPF. Therefore, conditions will be imposed in relation to suitable measures including to reduce dust and emissions during construction and to ensure suitable ventilation for future occupiers.

6.101 On the basis of the above conditions it is considered that the proposed development would not detrimentally impact on Air Quality and would be in accordance with the policies cited above.

## LAND CONTAMINATION

6.101 Paragraph 187 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

6.102 Local Plan Policy CC4 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. Policy CC9 requires a site assessment and a report on its findings for developments on or near sites known to be (or where there is reason to believe they may be) contaminated. Development will be refused 'unless practicable and effective measures are to be taken to treat, contain or control any contamination'. Any permission will require that any agreed measures with the council to assess and abate risks to human health or the wider environment are carried out as the first step of the development.

6.103 Key principles LC 1-6 of the Planning Guidance SPD identify the key principles informing the processes for engaging with the council on, and assessing, phasing and granting applications for planning permission on contaminated land. The latter principle provides that planning conditions can be used to ensure that development does not commence until conditions have been discharged.

6.104 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 would be attached covering the assessment and remediation of

contaminated land if the application were to be approved. On this basis the proposal would be acceptable with regards to contaminated land.

## **TREES AND ECOLOGY**

6.105 The site contains no Tree Preservation Orders and is outside a Conservation Area. There are two existing trees potentially impacted by the proposal, this includes the mature London Plane (T1) located on the opposite side of the road from the development. This is classified as high quality under BS 5837:2012. The arboricultural report submitted with the application demonstrates the proposed building and hardstanding changes are outside its root protection area and that it will be retained and protected with fencing during works. A small Damson tree (T2), in poor condition and unsuitable for retention, may require pruning or removal. However, the proposal includes eleven new trees which will significantly increasing canopy cover and urban greening. Therefore, subject to conditions in relation to tree protection, the proposal is considered acceptable with regards to the impact upon existing trees.

6.106 The Council's Ecologist notes that the site is a minor development and there is no requirement to meet Urban Greening Factor (UGF) standards; the low UGF score is acceptable as Biodiversity Net Gain (BNG) requirements have been met. Landscaping details require further clarification, and a condition is recommended to secure a Landscape and Public Realm Specification and Management Plan, including native planting, bird boxes, log piles, and avoidance of invasive species.

6.107 The Biodiversity Report predicts negligible impact on wildlife, but a note should be added requiring works to cease if bats or nesting birds are discovered. BNG calculations show an uplift of 759% and conditions are recommended to secure a Biodiversity Gain Plan and a Habitat Management and Monitoring Plan for a 30-year period. Eleven new trees and green infrastructure will contribute to urban greening. Overall, subject to conditions and monitoring, the scheme is considered acceptable in ecological terms.

## **7.0 PLANNING OBLIGATIONS / COMMUNITY INFRASTRUCTURE LEVY (CIL)**

### **Legal Agreement Heads of Terms**

7.1 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'.

7.2 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 'Community Infrastructure Levy (CIL) and Legal Agreements (s106 or Unilateral Undertaking).

7.3 The legal agreement for this development will include the following heads of terms:

- i. Affordable Housing - to secure the delivery of 100% affordable homes (3) comprising:
  - a. 33% Social Rent (1 unit); and
  - b. 66% Shared Ownership (2 units)
- ii. Car Permit Free - To prohibit any occupiers of the 3 residential units, other than Blue Badge Holders, from obtaining a parking permit, under Section 16 of the Greater London Council (General Powers) Act 1974.
- iii. Air Quality - £3,000 per annum for the demolition and construction phases of the development will be required for the Council's compliance monitoring of the AQDMP and maintain the councils Construction Site Monitoring Register Website.
- iv. BNG Monitoring – Fee to be agreed.

### **Mayoral and Local CIL**

7.4 The Mayor's CIL (Community Infrastructure Levy) came into effect in April 2012 and new fee rates came into effect in April 2019. This would contribute towards the funding of Crossrail. This development would be subject to this London wide community infrastructure levy which in this case would be £31,456.

7.5 The Council's Community Infrastructure Levy (CIL) is also a charge levied on the net increase in floorspace arising from development in order to fund infrastructure that is needed to support development in the area. The CIL Charging Schedule was presented to Council and approved 20 May and formally took effect on the 1st September 2015 and in this case the contribution would be £157,280 excluding indexation.

7.6 Given the proposal is for 100% affordable housing it would be eligible for relief from CIL provided this was properly applied for.

### **8.0 CONCLUSION**

8.1 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.

8.2 In the assessment of the application regard has been given to the National Planning Policy Framework (2024), London Plan (2021), and Local Plan (2018) policies as well as relevant guidance.

8.3 In summary, the proposal would contribute towards the quantity of the borough's affordable housing stock. It is acceptable in visual terms and is considered to be of a high quality of design which would not adversely impact upon the setting of the nearby Conservation Areas. Subject to conditions the proposal would not result in unacceptable impacts upon the amenities of neighbouring residential properties.

The new residential units comply the relevant standards and provide a good quality of accommodation for the new occupants. Highways, transportation and environmental matters including energy and sustainability, flood risk, air quality and land contamination have also been satisfactorily addressed and will be subject to conditions and a legal agreement. 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 Supplementary Planning Document (2018).

8.4 Officers have taken account of all the representations received and in 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 legal agreement.

## 9.0 RECOMMENDATION

9.1 Grant planning permission subject to conditions and the completion of a satisfactory legal agreement.