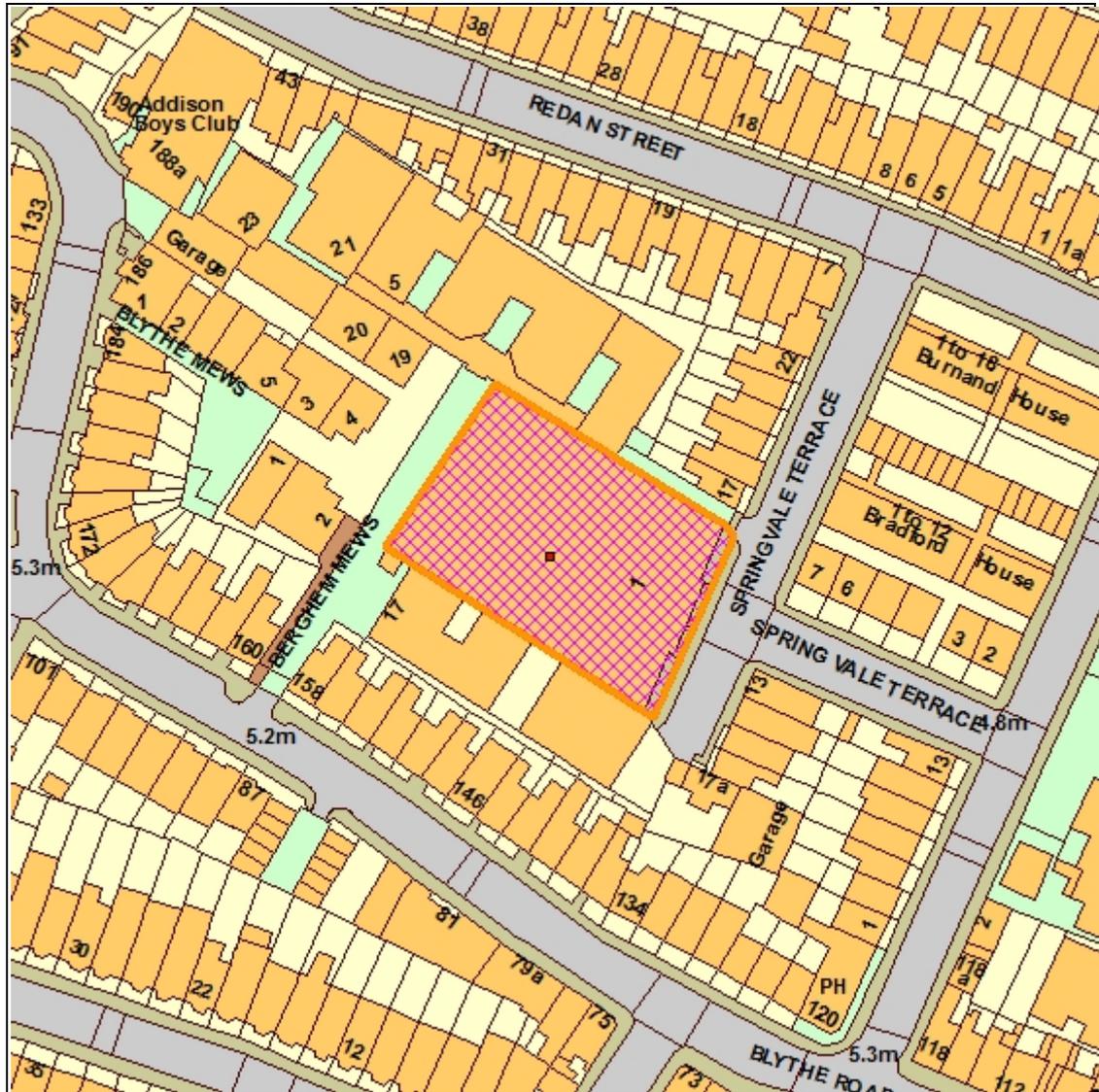


**Ward:** Brook Green

**Site Address:**

1 Spring Vale Terrace London W14 0AE



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

**Reg. No:**  
2025/01812/FUL

**Case Officer:**  
Sian Brown

**Date Valid:**  
14.08.2025

**Conservation Area:**  
Constraint Name: Lakeside/Sinclair/Blythe Road  
Conservation Area - Number 36

**Committee Date:**  
10.02.2026

**Applicant:**

Numa Capital Limited  
30 St George's Street London United Kingdom

**Description:**

Demolition of existing building (Class E(g) and Class B8) and erection of 18no residential units (Class C3), comprising a terrace of 6no part-three and part-four storey townhouses with roof terraces, a terrace of 3no three-storey townhouses, together with a four-storey building to provide 9no self-contained flats with roof terraces; installation of solar panels at roof level, associated plant, landscaping, refuse and cycle storage, and formation of 5 off-street car parking spaces together with other associated works.  
Drg Nos: Refer to condition 2.

**Application Type:**

Full Detailed Planning Application

**Officer Recommendation:**

- 1) That the Committee resolve that the Director of Planning and Property be authorised to grant planning permission upon the completion of a satisfactory legal agreement and subject to the conditions listed below.
- 2) That the Committee resolve that the Director of Planning and Property, after consultation with the Assistant Director of Legal Services and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed Heads of Terms of the legal agreement or proposed conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.

**Conditions:**

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

+ Demolition Plans  
051-BL-DE-XX-01-DR-A-1504 P2  
051-BL-DE-XX-01-DR-A-1505 P2

+Proposed Plans

051-BL-PL-XX-SI-DR-A-1001 P3  
051-BL-PL-XX-GF-DR-A-1501 P8  
051-BL-PL-XX-01-DR-A-1502 P4  
051-BL-PL-XX-02-DR-A-1503 P4  
051-BL-PL-XX-03-DR-A-1504 P4  
051-BL-PL-XX-RF-DR-A-1505 P3  
051-BL-PL-XX-EL-DR-A-1710 P5  
051-BL-PL-XX-EL-DR-A-1711 P4  
051-BL-PL-XX-EL-DR-A-1712 P4  
051-BL-PL-XX-EL-DR-A-1713 P5  
051-BL-PL-XX-RF-DR-A-7501 P1

+ Approved documents:

- o Fire Statement, Rev P03, dated 10/06/2025, prepared by Elev8 Fire Engineering Ltd.
- o Flood Risk Assessment, ref. P452012-WW-XX-XX-RP-C-0001, Rev. P2, prepared by Whitby Wood
- o Energy and Sustainability Statement, Version 01, dated June 2025, prepared by Love Design Studio

In order to ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with Policies DC1, DC4, and DC8 of the Local Plan (2018).

- 3) Prior to commencement of the demolition phase of the development hereby permitted, a scheme for temporary solid timber hoarded fencing (minimum height 2.5 metres) around the perimeter of the site on all site boundaries and/or enclosure of the site shall be submitted to and approved in writing by the Local Planning Authority. The temporary solid timber hoarded fencing and/or enclosure in accordance with BS 5975-2:2024 shall be installed prior to the start of any site clearance works and thereafter be retained for the duration of the building works. No part of the temporary fencing and/or enclosure of the site shall be used for the display of commercial advertisement hoardings unless the relevant advertisement consent is sought from the Local Planning Authority. Approved details shall be fully implemented and permanently retained and maintained during the demolition and construction phases of the development.

To ensure a satisfactory external appearance, to ensure that appropriate steps are taken to limit the impact of the proposed construction works on the operation of the public highway, and to ensure the development's air pollution impacts are mitigated in accordance with Policies SI 1, D1 and D8 of the London Plan (2021), Policies DC1, DC4, DC8, CC10, CC12, T1, T6 and T7 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD (2018).

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

Condition required by Thames Water: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

- 5) Prior to commencement of the development hereby approved, a Demolition and Construction Management Plan shall be submitted to and approved in writing by the Council. Details shall include control measures for dust, noise, vibration, lighting, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800 - 1300 hrs on Saturdays with no works permitted on Sundays and Bank Holidays, advance notification to neighbours and other interested parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works. Approved details shall be implemented throughout the project period.

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 Policy D14 of the London Plan (2021), Policies DC1, CC6, CC7, CC10, CC11 and CC12 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD (2018).

- 6) Prior to commencement of the development hereby approved, a Demolition/Construction Logistics Plan (D/CLP) in accordance with Transport for London Guidance shall have been submitted to and approved in writing by the Local Planning Authority. The D/CLP should cover the following minimum requirements: site logistics and operations; construction vehicle routing; contact details for site managers and details of management lines of reporting; location of site offices, ancillary buildings, plant, wheel-washing facilities, stacking bays and parking; storage of any skips, oil and chemical storage etc.; access and egress points; membership of the Considerate Contractors Scheme; as well a clear description of how the site will discourage the use of private transport by personnel employed in its construction. The approved details shall be undertaken in accordance with the terms and throughout the period set out in the D/LCLP.

To ensure that appropriate steps are taken to limit the impact of the proposed demolition/construction works on the operation of the public highway, in accordance with Policy T7 of the London Plan (2021) and Policies T1, T6 and T7 of the Local Plan (2018).

- 7) Prior to commencement of the development hereby permitted (excluding Demolition, Ground and Enabling Works), details of all external materials to be used on the external faces of the buildings and boundary treatments (including manufacturer's specifications, photographs and/or a physical sample), shall be submitted to and approved in writing by the Council. No part of the development shall be used or occupied prior to the completion of the development in accordance with the approved details.

To ensure a satisfactory external appearance of the development, and to preserve the character and appearance of the Conservation Area in accordance with Policies D3 and HC1 of the London Plan (2021), and Policies DC1, DC2 and DC8 of the Local Plan (2018).

- 8) Prior to commencement of the development hereby permitted (excluding Demolition, Ground and Enabling Works), details in plan, section and elevation (at a scale of not less than 1:20) of the following matters shall be submitted to and approved in writing by the Council. No part of the development shall be used or occupied prior to the completion of that part of the development in accordance with the approved details.

- a) a typical bay of the Spring Vale Terrace elevation of both the terraced housing and apartment block; Berhem Mews elevation; and front elevation of the Mews Houses
- b) boundary treatment
- c) rooftop plant associated enclosures
- d) PV panels

To ensure a satisfactory external appearance of the development, and to preserve the character and appearance of the Conservation Area in accordance with Policies D3 and HC1 of the London Plan (2021), and Policies DC1, DC2 and DC8 of the Local Plan (2018).

- 9) Prior to commencement of the relevant part of the development permitted (excluding Demolition, Ground and Enabling Works), details of the proposed soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of all species within the planting schedule, of which shall demonstrate the achievement of an Urban Greening Factor (UGF) of a minimum of 0.4; 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 including green roof; as well as details of the integrated children's playspace. 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 landscaping shall be implemented in accordance with the approved details and within the first planting season following first occupation and shall be permanently retained in this form. Any trees, shrubs or planting associated with the soft landscape details that is removed, or seriously damaged, dying, or diseased within five years of the date of planting shall be replaced in the next

planting season with a similar size and species to that originally required to be planted. The landscape management plan shall be implemented in accordance with the approved details and shall thereafter be permanently retained in this form.

To ensure a satisfactory external appearance of the development, and in the interests of urban greening and biodiversity net gain, in accordance with Policies D3, S4, G5 and G7 of the London Plan (2021) and Policies DC1, DC2, OS1, OS3 and OS5 of the Local Plan (2018).

- 10) The total number of residential units (Class C3) hereby approved shall not exceed 18 residential units.

In granting this permission, the Council has had regard to the particular circumstances of the case. A change to the number of dwellings could raise materially different planning considerations and the council wishes to have an opportunity to consider such circumstances at that time, in accordance with Policies DC1, HO1, HO3, HO4, HO5, HO6, HO11, T1, T2, T3, T4, T6, CC11 and CC13 of the Local Plan (2018).

- 11) The residential units hereby approved shall only be used as a single dwellinghouses falling within use Class C3. The residential units shall not be used as housing in multiple occupation falling within Class C4 of the of the Town & Country Planning (Use Classes) Order 1987 (as amended).

The use of the property as residential units in multiple occupation rather than as single residential units would raise materially different planning considerations that the Council would wish to consider under a full planning application, in accordance with Policies DC1, HO1, HO2, HO4, HO5, HO8, HO11, CC11, CC13 and T1 of the Local Plan (2018).

- 12) Prior to commencement of the development hereby permitted (excluding Demolition, Ground and Enabling Works), details showing 10% of dwellings (House 6 fronting Spring Vale Terrace, and Flat 4 at ground floor level within the apartment building) will be built to the M4(3) 'Wheelchair accessible dwellings' requirement, and the remaining 90% of dwellings will be built to building regulations standard M4 (2) 'Accessible and adaptable buildings' Building Regulations requirement, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and shall thereafter be permanently retained.

To ensure a satisfactory provision for dwellings, meeting the needs of people with disabilities, in accordance with the Policy D7 of the London Plan (2021) and Policy HO6 of the Local Plan (2018).

- 13) With the exception of solar panels, no alterations shall be carried out to the external appearance of the buildings hereby permitted, including the installation of air-conditioning units, ventilation fans, extraction equipment, flues or other plant equipment and associated external pipework or ducting not shown on the approved drawings, without planning permission first being obtained. Any such changes shall be carried out in accordance with the approved details.

To ensure a satisfactory external appearance and to prevent harm to the amenities of the occupiers of neighbouring residential properties, in accordance with Policies D3 and D14 of the London Plan (2021), Policies DC1, DC2, DC8, CC11, CC13 and HO11 of the Local Plan (2018), and Key Principles of the Planning Guidance SPD (2018).

- 14) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no aerials, antennae, satellite dishes or related telecommunications equipment shall be erected on any external part of the approved buildings, without planning permission first being obtained.

In order to ensure that the Council can fully consider the effect of telecommunications equipment upon the character and appearance of the building and its setting, in accordance with Policy D3 of the London Plan (2021), and Policies DC1, DC2 and DC8 of the Local Plan (2018).

- 15) No water tanks, water tank enclosures or other structures, other than those set out on the approved drawings, shall be erected upon the roofs of the buildings hereby permitted.

It is considered that such structures would seriously detract from the appearance of the building, contrary to Policy D3 of the London Plan (2021), and Policies DC1, DC2 and DC8 of the Local Plan (2018).

- 16) The extent of the roof terraces shall not exceed that indicated on the approved drawings, and the roof terraces shall not be subsequently enlarged prior to the submission and approval in writing of a further planning application. No part of any roof of the remaining buildings hereby approved shall be used as a roof terrace or other form of open amenity space. With the exception of the approved roof terraces, no alterations shall be carried out; nor planters or other chattels placed on the roofs. No railings or other means of enclosure shall be erected on the roofs, and no alterations shall be carried out to the property to form access onto the roofs.

The use of the roof(s) as a terrace would increase the likelihood of harm to the existing residential amenities of the occupiers of neighbouring properties as a result of overlooking, and noise and disturbance, contrary to Policies HO11 and CC11 of the Local Plan (2018), and Key Principle 8 of the Planning Guidance SPD (2018).

- 17) The development hereby permitted shall be carried out in accordance with the approved Fire Statement, Rev P03, dated 10/06/2025, prepared by Elev8 Fire Engineering Ltd. and the building shall be retained and maintained in accordance with this strategy for the lifetime of the development.

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

- 18) Prior to commencement of above ground works, a statement of how 'Secured by Design' requirements are to be adequately achieved shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be carried out prior to occupation or use of the development hereby approved and permanently retained thereafter.

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

- 19) Prior to commencement of the development (excluding Demolition, Ground and Enabling Works), details shall be submitted to and approved in writing by the Council, of an enhanced sound insulation value  $D_{nT,w} + C_{tr}$  [and  $L'_{nT,w}$ ] of at least 5dB above the Building Regulations value, for the floor/ceiling/wall structures separating different types of rooms/ uses in adjoining dwellings, namely [eg. living room and kitchen above bedroom of separate dwelling]. 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 is not adversely affected by noise, in accordance with Policies CC11 and CC13 of the Local Plan (2018).

- 20) Prior to commencement of of the relevant part of the development, details shall be submitted to and approved in writing by the Council, of the external sound level emitted from plant/ machinery/ equipment and mitigation measures as appropriate. The measures shall ensure that the external sound level emitted from plant, machinery/ equipment will be lower than the lowest existing background sound level by at least 10dBA in order to prevent any adverse impact. The assessment shall be made in accordance with BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. A post installation noise assessment shall be carried out where required to confirm compliance with the sound criteria and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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).

- 21) Prior to commencement of the relevant part of the development hereby approved, details of anti-vibration measures shall be submitted to and approved in writing by the Council. The measures shall ensure that machinery, plant/equipment 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).

- 22) The external sound level emitted from standby or emergency plant at the development during power outages or testing shall not exceed the lowest daytime ambient noise level LAeq(15min) by more than 10dB in order to prevent any adverse impact. The assessment shall be made in accordance with BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

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

- 23) Prior to commencement of the relevant part of the development, details of external artificial lighting shall be submitted to and approved in writing by the Council. Lighting contours shall be submitted to demonstrate that the vertical illumination of neighbouring premises is in accordance with the recommendations of the Institution of Lighting Professionals in the 'Guidance Note 01/20: Guidance Notes for the Reduction of Obtrusive Light'. Details should also be submitted for approval of measures to minimise use of lighting and prevent glare and sky glow by correctly using, locating, aiming and shielding luminaires. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by lighting, in accordance with Policies CC12 and CC13 of the Local Plan (2018.)

- 24) Prior to commencement of the development hereby approved (excluding Demolition, Ground and Enabling Works), a noise assessment shall be submitted to the Council for approval of external noise levels incl. reflected and re-radiated noise and details of the sound insulation of the building envelope, orientation of habitable rooms away from major noise sources and of acoustically attenuated mechanical ventilation as necessary to achieve internal room- and (if provided) external amenity noise standards in accordance with the criteria of BS8233:2014. 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 is not adversely affected by noise from transport [industrial/ commercial noise sources], in accordance with Policies CC11 and CC13 of the Local Plan (2018).

- 25) Prior to occupation of the development hereby permitted details of safe, secure and accessible bicycle storage, shall be submitted to, and approved in writing by the Council. The cycle parking facilities should be in accordance with London Cycling Design Standards (LCDS), and shall comprise a mix of cycle parking including the provision for cargo bikes. Details of the stands should comprise design/manufacturers specifications/materials. The bicycle storage facilities shall be implemented as approved prior to the occupation of the development, and shall thereafter be permanently maintained for the life of the development.

To ensure satisfactory provision for the bicycle and thereby promote sustainable and active modes of transport, in accordance with Policy T5 London Plan (2021), and Policy T3 of the Local Plan (2018).

- 26) No part of the development hereby approved shall be occupied until provision has been made for the storage of domestic refuse and recycling, in the form of the dedicated storage areas at ground floor level as indicated on the approved drawings. Thereafter the provision for refuse and recycling storage shall be so maintained for the life of the development.

To ensure satisfactory provision for the storage of refuse and recycling on site, and thereby prevent it being stored on the highway, in accordance with Policy SI8 of the London Plan (2021), and Policy CC7 of the Local Plan (2018).

- 27) Prior to occupation of the of the development hereby permitted, a Waste Management Strategy (WMS) shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the management and times of refuse/recycling collection; details of the waste collection pick up area; and location of loading bays and vehicle movements. The approved details shall be implemented prior to occupation and the WMS hereby permitted shall thereafter operate in accordance with the approved details. The WMS shall be regularly monitored and reviewed and any subsequent modifications or alterations to the WMP should be submitted to and approved in writing by the LPA.

To ensure that satisfactory provision is made for refuse storage and collection and that associated vehicle servicing activities do not adversely impact on the highway, in accordance with Policy T7 of the London Plan (2021), and Policies CC7 and T2 of the Local Plan (2018).

- 28) No part of the development hereby approved shall be used/occupied until provision has been made for car parking for disabled users in the form of 1 no. Blue Badge-holder space as indicated on the approved drawings. Thereafter the provision for Blue Badge parking shall be permanently maintained in this form for the lifetime of the development.

To ensure satisfactory provision for car parking for disabled users of the development, in accordance with Policy T6 of the London Plan (2021), and Policies T4 and T5 of the Local Plan (2018).

- 29) The development hereby approved shall not be used or occupied until a Blue Badge Parking Management Plan has been submitted to and approved in writing by the Council. The details shall include the management and allocation of the approved 1 no. blue badge space; and controls and method of access. The development shall proceed in accordance with the details as approved and the details shall be maintained as such thereafter.

To ensure satisfactory provision for car parking for disabled users of the development, in accordance with Policy T6 of the London Plan (2021), and Policies T4 and T5 of the Local Plan (2018).

- 30) Prior to commencement of the relevant part of the development permitted (excluding Demolition, Ground and Enabling Works), a Revised Drainage Strategy, shall be submitted to and approved in writing by the Local Planning Authority. Information shall include details on the design, location and attenuation capabilities of the proposed SuDS measures including rainwater harvesting, green roofs, permeable paving, attenuation tank, landscaping and new trees, together with details of maintenance. Any surface water discharged to the combined sewer network will at a rate no higher than 2l/s. The measures shall be implemented in accordance with the approved details, and thereafter all SuDS measures shall be permanently retained and maintained in accordance with the approved details.

To prevent any increased risk of flooding and to ensure the satisfactory storage of/disposal of surface water from the site in accordance with Policy SI 13 of the London Plan (2021), and Policies CC2 and CC4 of the Local Plan (2018).

- 31) The development shall be carried out and completed in full accordance with the details contained within the Flood Risk Assessment, ref. P452012-WW-XX-XX-RP-C-0001, Rev. P2, prepared by Whitby Wood submitted with this application. No part of the development shall be used or occupied until all flood prevention and mitigation measures have been installed in accordance with the submitted details and the development shall be permanently retained in this form thereafter.

To reduce the impact of flooding to the proposed development and future occupants, in accordance with Policy SI 12 of the London Plan (2021) and Policies CC2, CC3 and CC4 of the Local Plan (2018).

- 32) The development hereby approved shall not be occupied until the measures set out in the approved Energy and Sustainability Statement Version 01, dated June 2025, prepared by Love Design Studio, have been implemented on site and they shall be permanently retained thereafter.

In the interests of energy conservation and reduction of CO2 emissions, in accordance with Policies SI2 and S14 of the London Plan (2021), and Policies CC1 and CC2 of the Local Plan (2018).

- 33) 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).

- 34) 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).

- 35) 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).

- 36) 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).

- 37) 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).

- 38) 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).

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

In the interests of air quality, in accordance with Policy SI1 of the London Plan (2021), Policy CC10 of the Local Plan (2018), and the councils Air Quality Action Plan.

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

In the interests of air quality, in accordance with Policy SI1 of the London Plan (2021), Policy CC10 of the Local Plan (2018), and the councils Air Quality Action Plan.

- 41) Prior to commencement of the enabling works, site clearance or demolition works of the development hereby permitted, details of the Non-Road Mobile Machinery (NRMM) to be used shall be submitted to and approved in writing by the Local Planning Authority. The NRMM shall have CESAR Emissions Compliance Verification (ECV) identification and shall comply with the minimum Stage V NOx and PM10 emission criteria of The Non-Road Mobile Machinery (Type-Approval and Emission of Gaseous and Particulate Pollutants) Regulations 2018 and its subsequent amendments. This will apply to both variable and constant speed engines for both NOx and PM. An inventory of all NRMM shall be registered on the London GLA NRMM register GLA-NRMM-Register. Approved details shall be fully implemented and thereafter permanently retained and maintained until occupation of the complete development.

In the interests of air quality, in accordance with Policy SI1 of the London Plan (2021), Policy CC10 of the Local Plan (2018), and the councils Air Quality Action Plan.

- 42) 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 eighteen self-contained dwellinghouses (Use Class C3) shall be submitted to and approved in writing by the Local Planning Authority. This is applicable to all residential floors where Hammersmith & Fulham Councils 2030 Annual Mean Air Quality Target for Nitrogen Dioxide (NO<sub>2</sub>) - 10ug/m<sup>3</sup>, Particulate (PM<sub>10</sub>) - 15 ug/m<sup>3</sup> and Particulate (PM<sub>2.5</sub>) - 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 elevation 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
- c. Details of the independently tested mechanical ventilation system with Nitrogen Dioxide (NO<sub>2</sub>) and Particulate Matter (PM<sub>2.5</sub>, PM<sub>10</sub>) filtration with air intakes on the rear elevation to remove airborne pollutants. The filtration system shall have a minimum efficiency of 90% in the removal of Nitrogen Oxides/Dioxides, Particulate Matter (PM<sub>2.5</sub>, PM<sub>10</sub>) in accordance with BS EN ISO 10121-1:2014 and BS EN ISO 16890:2016.
- d. Details and locations of restricted opening windows (maximum 200mm for emergency purge ventilation only) for all habitable rooms (Bedrooms, Living Rooms, Study) on all residential floors.

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

In the interests of air quality, in accordance with Policy SI1 of the London Plan (2021), Policy CC10 of the Local Plan (2018), and the councils Air Quality Action Plan.

- 43) Prior to occupation of each phase 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 [X] to mitigate the impact of existing poor air quality shall be submitted to and approved in writing by the Local Planning Authority. The report shall be produced by an accredited Chartered Building Surveyor (MRICS). Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

In the interests of air quality, in accordance with Policy SI1 of the London Plan (2021), Policy CC10 of the Local Plan (2018), and the councils Air Quality Action Plan.

- 44) Prior to occupation of the development hereby permitted, details (including manufacturer specification, installation/commissioning certificates, gas supply/meter site clear certificate and photographic confirmation) of the installed electric induction cooking stoves in the kitchens of the eighteen self-contained dwellinghouses (Class C3) shall be submitted to and approved in writing by the Local Planning Authority. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

In the interests of air quality, in accordance with Policy SI1 of the London Plan (2021), Policy CC10 of the Local Plan (2018), and the councils Air Quality Action Plan.

- 45) Prior to occupation of the development hereby permitted, details (including manufacturer specification, installation/commissioning certificates and photographic confirmation) of secondary mains electricity power supply or electrical Uninterruptable Power Supply (UPS) in accordance with BS9999, BS 9991, and BS 7671 for fire and life safety equipment shall be submitted to and approved in writing by the Local Planning Authority. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

In the interests of air quality, in accordance with Policy SI1 of the London Plan (2021), Policy CC10 of the Local Plan (2018), and the councils Air Quality Action Plan.

- 46) Prior to occupation of the development hereby permitted, details (including manufacturer specification, installation/commissioning certificates, gas supply/meter site clear certificate and photographic confirmation) of the installed Air Source Heat Pumps (ASHP), Heat Battery Boilers, Electric boilers or alternative electrical only heating/cooling systems to be provided for space heating, hot water and cooling for the eighteen self-contained dwellinghouses (Class C3) shall be submitted to and approved in writing by the Local Planning Authority. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

In the interests of air quality, in accordance with Policy SI1 of the London Plan (2021), Policy CC10 of the Local Plan (2018), and the councils Air Quality Action Plan.

- 47) Prior to occupation of the development hereby permitted, details (including manufacturer specification, installation/commissioning certificates and photographic confirmation) of the installed Waste Water Heat Energy Recovery System (WWHRS) in all the bathrooms of the eighteen self-contained dwellinghouses (Use Class C3) shall be submitted to and approved in writing by the Local Planning Authority. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

In the interests of air quality, in accordance with Policy SI1 of the London Plan (2021), Policy CC10 of the Local Plan (2018), and the councils Air Quality Action Plan.

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

In the interests of air quality, in accordance with Policy SI1 of the London Plan (2021), Policy CC10 of the Local Plan (2018), and the councils Air Quality Action Plan.

- 49) Prior to occupation of each phase of the development hereby permitted, (including manufacturer specification, installation/commissioning certificates and photographic confirmation) of the installed Private Network Energy Microgrid (PNEM) for the nine self-contained residential apartments (Class C3) shall be submitted to and approved in writing by the Local Planning Authority. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

In the interests of air quality, in accordance with Policy SI1 of the London Plan (2021), Policy CC10 of the Local Plan (2018), and the councils Air Quality Action Plan.

- 50) Prior to occupation of the development hereby permitted, details (including manufacturer specification, location and type, installation/commissioning certificates and photographic confirmation) of the installed active electric vehicle charging point (minimum 22 KW) for a minimum of five off-street car parking spaces shall be submitted to and approved in writing by the Local Planning Authority. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

In the interests of air quality, in accordance with Policy SI1 of the London Plan (2021), Policy CC10 of the Local Plan (2018), and the councils Air Quality Action Plan.

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

- 1) The principle of development is acceptable. The permanent loss of employment floorspace on the site has been justified, and the proposed development would contribute towards the quantity of the borough's market and affordable housing stock. The proposal is acceptable in visual terms and is considered to be of a high quality of design and acceptable with regards to the impact upon heritage assets. Subject to conditions the proposal would not result in unacceptable impacts upon the amenities of neighbouring residential properties. The new dwellings meet the minimum standards and provide a good standard of accommodation for the new occupants. Highways, transportation and environmental matters including energy and sustainability, flood risk, air quality, land contamination, and ecology and biodiversity 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).

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

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

Application form received: 3rd July 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:**

<b>Comments from:</b>	<b>Dated:</b>
Historic England London Region	19.08.25
Environment Agency - Planning Liaison	18.08.25
Thames Water - Development Control	21.08.25
Crime Prevention Design Advisor - Hammersmith	11.09.25
Historic England London Region	26.08.25
Health And Safety Executive	18.08.25

**Neighbour Comments:**

<b>Letters from:</b>	<b>Dated:</b>
The Lawns 33 Thorpe Road Peterborough PE3 6AB	10.10.25
Carters Lodge Carters Lodge Lane Haywards Heath RH17 6AA	17.09.25
37 Sterndale Road London W14 0HT	17.09.25
5 Masbro Road W14 0LX	17.09.25
1 Clarendon Road Stirling FK8 2RN	18.09.25
17 Hofland Road London W14 0LN	26.08.25
10 Dewhurst Road London W14 0ET	17.09.25
16 Hofland Road London W14 0LN	17.09.25
35 Caithness Road London W14 0JA	17.09.25
Dalton House (140A Blythe Road W14) Dalton Newcastle NE18 0AA	15.09.25
17 Hofland Road London W14 0LN	26.08.25
Flat 4 150 Blythe Road	17.09.25
150 A Blythe Road	17.09.25
58 Masbro Road London W14 0LT	17.09.25
11 Masbro Road London W14 0LX	17.09.25
26 Applegarth road London W14 0HY	18.09.25
21 Irving Road London W14 0JT	13.11.25

4 Church Gates , Berkhamsted Hp4 2UB	30.09.25
13 Springvale Terrace London W14 0AE	17.09.25
162 Blythe Road London W14 0HD	15.09.25
156 Blythe Road London W14 0HD	07.09.25
156 Blythe Road London W14 0HD	07.09.25
140C Blythe Road London W14 0HD	17.09.25
17 Springvale Terrace London W14 0AE	17.09.25
58 Bolingbroke Road London W14 0AH	17.09.25
11 Masbro Road London W14 0LX	17.09.25
15 Redan Street London W14 0AB	31.08.25
19 Berghem Mews London W14 0HN	26.08.25
9 Masbro Road London W14 0LX	13.09.25
Hollins Planning	10.09.25
Flat D, 140 Blythe Road London W14 0HD	15.09.25
10 Rowan Road London W6 7DU	17.09.25
13 Springvale Terrace London W14 0AE	17.09.25

## 1.0 SITE LOCATION AND DESCRIPTION, AND RELEVANT PLANNING HISTORY

### SITE DESCRIPTION

- 1.1 The application site consists of a two-storey 1930's industrial-style building, comprising 1,300sqm of office (Class E) floorspace and 600sqm of warehouse (Class B8) floorspace. The building was formally occupied by 'Clear Cut Pictures', a film and television production company. Since the company vacated the premises in mid-2022, the building has remained vacant.
- 1.2 The application site is located on the eastern side of Spring Vale Terrace, within the Lakeside/Sinclair/Blythe Road Conservation Area. The surrounding context is mixed in character. To the east, the site fronts Spring Vale Terrace, which is predominantly residential and characterised by two storey Victorian terraced housing, as well as part three, part four storey mid century purpose built residential blocks. To the north, the boundary is defined by the rear elevations and gable ends of the three storey commercial buildings within Berghem Mews, and partly by a wall enclosing a narrow rear access lane. Beyond this lane lie the rear gardens of the existing terraced homes on Springvale Terrace. To the west, the site adjoins Berghem Mews Business Park, which comprises three storey office accommodation accessed from Blythe Road. To the south, the site borders a three storey commercial building also forming part of Berghem Mews, as well as Monkey Puzzle Day Nursery (No. 17 Spring Vale Terrace). Beyond these buildings lies Blythe Road, which is characterised by three storey terraced residential properties.
- 1.3 According to Transport for London's methodology, the site is split across two different PTALs (2&4).
- 1.4 The site falls within the Environment Agency's Flood Zone 3.

## RELEVANT PLANNING HISTORY

1.5 The Site has a relatively limited planning history.

- Permission was granted in 2000 (Ref: 2000/01081/FUL) for use of premises either as office (Use Class B12) or educational use (Use Class D13).
- Permission was subsequently granted in 2003 (Ref: 2003/01514/FUL) for the continued use of the Site comprising 1,300sqm of office accommodation (Use Class B1) and 600sqm of storage space (Use Class B8), regularising Clear Cut Productions' occupation of the premises for post production services.

1.6 Following amendments to the Use Classes Order in 2020 the lawful use of the existing building comprises 1,300sqm of open Class E and 600sqm Class B8 floorspace.

## 2.0 PROPOSAL

2.1 The proposal involves the demolition of the existing building and the comprehensive redevelopment of the site to deliver 18 residential units. The scheme comprises nine townhouses and an apartment block containing nine flats, together with associated landscaping, amenity space, and parking provision.

2.2 The townhouses would be arranged in two terraces: a three-storey terrace fronting Springvale Terrace (3 houses); and a four-storey terrace positioned towards the rear of the site (6 houses), adjacent to Berghem Mews to the west. Access to the rear terrace of townhouses would be provided from Springvale Terrace.

2.3 The standalone apartment block, also fronting Springvale Terrace, would be four storeys in height.

2.4 All nine flats within the apartment block are proposed as affordable housing, representing 50% of the total units. These would be delivered with a tenure mix of 67% social rent and 33% intermediate (London Living Rent) housing.

### + Public Engagement

2.5 A Statement of Community Involvement (SOVI) supports the current planning application and summarises the pre-application engagement undertaken by the applicant.

2.6 In summary, this involved a range of door knocking, one-on-one meetings with local residents and businesses, and larger formal public meetings and events in January, March and May 2025.

2.7 Overall, the feedback from these sessions was positive, with attendees providing feedback supporting the loss of the industrial use and principal of housing; the design, height and massing of the scheme; as well as the provision of new family homes and off-street parking. Concerns were focused on on-street car parking and construction traffic.

### 3.0 PUBLICITY AND CONSULTATION RESPONSES

#### + Statutory Consultation

3.1 A site and press notice were published to advertise this application and notification letters were sent to the occupants of 239 surrounding properties.

3.2 A total of 33 representation was received, 29 raising objection and 4 in support. A summary of the comments is provided below:

#### + Objection

- o Buildings too high (out of keeping with street scene and conservation area)
- o Design does not respect character of street scene or conservation area
- o Loss of employment use (marketing of building not sufficiently robust/flexible marketing of the building not considered/mixed use development would safeguard employment benefits)
- o Noise and disturbance caused by building phase/cumulative impact from other building sites within the area
- o Highways impacts caused by building phase
- o Impact to residential amenity (loss of light; privacy; noise from terraces)
- o Impact to property values in area
- o Increased parking stress
- o Flood risk due to added pressure to sewer system
- o Disruption to operation of businesses within Berhem Mews
- o Loss of light to offices within Berghem Mews
- o Materials should be conditioned
- o Community should be consulted in connection with building works

#### + Support

- o The proposed scheme is far more attractive and beneficial compared to the site's current condition.
- o Support residential use
- o Support loss of former commercial building, and its potential use as a distribution centre
- o Heights of buildings acceptable
- o Combination of houses and flats welcomed

3.3 The Hammersmith and Fulham Historical Society; Fulham Society; Hammersmith Society; and Hammersmith and Fulham Historic Buildings Group were also consulted on the planning application and have not made any comments.

#### + Technical Consultations

3.4 Thames Water recommend a condition requiring a Piling Method Statement; and informatives relating to water pressure and Groundwater Risk Management Permit

3.5 The Environment Agency have responded to state they raise no objection.

3.6 Historic England (GLAAS) have responded to state it is not necessary for them to be notified of this application.

- 3.7 Historic England have responded to state it is not necessary for them to be notified of this application.
- 3.8 Metropolitan Police Designing Out Crime Officer (DOCO) recommends the applicant completes the SBD accreditation process to achieve a SBD certificate.
- 3.9 HSE have responded to state this planning application does not fall under the remit of planning gateway one, because it does not meet the height condition of a relevant building.
- 3.10 The London Fire and Emergency Planning Authority, and Civil Aviation Authority were consulted on the planning application and have not made any comments.

## 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 (December 2024)

- 5.4 The National Planning Policy Framework (NPPF) came into effect on 27 March 2012 and was revised in 2024 and is a material consideration in planning decisions. The NPPF, as supported by the Planning Practice Guidance (PPG) sets out national planning policies and how these are expected to be applied.
- 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 new Local Plan on 28 February 2018. The policies in the Local Plan together with the London Plan make up the statutory development plan for the borough. The Planning Guidance Supplementary Planning Document (SPD) (February 2018) is also a material consideration in determining planning applications. It provides supplementary detail to the policies and is organised around key principles.

## 5.0 PLANNING ASSESSMENT

The main considerations material to the assessment of this application have been summarised as follows:

- 5.1 Principle of Land Use (loss of employment floorspace)
- 5.2 Housing Supply (housing mix/affordable housing provision)
- 5.3 Quality of the Residential Accommodation;
- 5.4 Accessibility; Secure by Design; and Fire Safety
- 5.5 Design and Heritage
- 5.6 Residential Amenity (daylight and sunlight/outlook/privacy/noise)
- 5.7 Highways and Transportation
- 5.8 Flood Risk and SUDS
- 5.9 Energy and Sustainability
- 5.10 Air Quality
- 5.11 Land Contamination
- 5.12 Ecology and Biodiversity
- 5.13 Economic Development and Skills Training

## 5.1 LAND USE

### LOSS OF EMPLOYMENT USE

- 5.1.1 The Local Plan (at paragraph 7.9) defines employment use as all Class B uses and similar uses that are classified as Sui Generis. Since the adoption of the Local Plan, the former Use Class B1 (a-c) has been revoked and offices, research and development, and certain industrial uses have been incorporated with a range of other uses into Use Class E. Typical employment uses would now be considered to fall within Class E(g). On this basis the building comprises 1,300sqm of Class E(g) and 600sqm of Class B8.
- 5.1.2 The most recent use of the land is as a warehouse/office facility primarily for the post-production of film. Its use was more akin to an office style operation.
- 5.1.3 London Plan Policies E1 and E2 seek to retain existing viable office floorspace. Policy E2, however does allow for the loss of existing employment floorspace if it can be demonstrated that there is no reasonable prospect of the site being used for business purposes.
- 5.1.4 Proposals involving a loss of employment floor space are also to be assessed in accordance with Local Plan Policies E1 and E2, which require applications to adequately justify the loss, for example in terms of the suitability of the site for continued employment use and evidence of unsuccessful marketing of the site.

5.1.5 Policy E2 of the Local Plan requires the retention of land and premises capable of providing continued accommodation for employment or local services. Permission will only be granted for a change where:

1. continued use would adversely impact on residential areas; or
2. an alternative use would give a demonstrably greater benefit that could not be provided on another site; or
3. it can be evidenced that the property is no longer required for employment purposes.

5.1.6 The previous occupier, Clear Cut Productions, occupied the whole building between 1998 - 2021 to house their post-productions services, before vacating to new premises.

5.1.7 In accordance with Local Plan Policy E2, criterion 3, the application is accompanied by evidence in the form of an extensive marketing report demonstrating that the property has been actively marketed for a period exceeding 12 months by two separate agents, during which time efforts to find a suitable occupier have been unsuccessful.

5.1.8 In more detail, the building was initially marketed by DTRE from 2021 to 2023 whereby interest was only raised in the warehouse component of the Site. Marketing of the existing premises has since been undertaken by Telsar Limited from 2023 onwards. The property has been advertised through a range of channels, including various property marketing websites, their own corporate websites, direct approaches to local businesses, and a 'to-let' board has also been displayed at the front of the building. A full schedule of prospective tenants and the interest is set out in the accompanying marketing report.

5.1.9 Whilst the existing premises has proved attractive for storage and distribution occupiers, the demand for the office accommodation (approximately 1,300sqm GIA), either as a standalone or combined lease arrangement has been challenging. It is stated the property presents a series of challenges, high office content (68%), dense residential area, restricted road access, and poor quality office accommodation. As such there has been no serious interest for the premises as a whole.

5.1.10 Officers have carefully scrutinised the marketing evidence and are satisfied that appropriate and comprehensive marketing has been undertaken. It is clear that the unique nature and location of the property have meant finding a suitable occupier challenging and that this is unlikely to occur in the future without significant adaptation, requiring significant investment that is currently unviable. In addition, the residential surroundings make the site unsuitable for industrial uses that might otherwise be viable on the site.

5.1.11 Officers are therefore satisfied that the current property is unviable for employment purposes and has reached obsolescence, and that the applicants have taken all reasonable steps to find a suitable tenant for the property without success. The proposal is therefore considered compliant with London Plan Policies E1 and E2, and Local Plan Policies E1 and E2.

## 5.2 HOUSING SUPPLY

5.2.1 London Plan Policy H1 requires an annual average of 66,000 net additional homes to be delivered with Table 4.1 setting an annual target of 1,609 net additional dwellings for Hammersmith and Fulham. Policy HO1 of the Local Plan, seeks to exceed an annual target of 1031 until 2025 and continue to seek a minimum of 1,031 net additional dwellings per year up until 2035. To achieve this, Policy HO1 supports development of windfall sites and change of use of buildings where premises are shown to be surplus to requirements. The proposal would provide 18 self-contained residential units, which would make a valuable contribute to the Borough's targets in accordance with the abovementioned policies. Furthermore, based on the above, the applicant has demonstrated the loss of the class E(g)(iii)) property to C3 is acceptable as the existing use is surplus to requirements.

### + Density

5.2.2 In order to optimise the use of land London Plan Policy D3 and GG2 state development should proactively explore the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling. In considering appropriate residential densities, London Plan Policy D3 moves away from a focus on numerical density ranges towards a focus on a design-led approach, that also takes into account existing and planned infrastructure provision. Para. 3.3.21 states comparing density between schemes using a single measure can be misleading as it is heavily dependent on the area included in the planning application site boundary as well as the size of residential units.

5.2.3 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.

5.2.4 The proposed development (0.17 hectares) would result in a residential density of approximately 105 units / 447 habitable rooms per hectare. This is considered acceptable. The proposed scheme has been designed to take account of its local context in terms of the form and character of surrounding development, impact on neighbours, as well as complying with the Council's standards on the size of residential units. In accordance with the above Policies, the proposed 18-unit scheme on this small site within an urban area would make efficient use of this land and would contribute to the overall housing need in the Borough.

## + Housing Mix

5.2.5 London Plan Policy H10, together with the Mayor's Housing SPG seek to promote housing choice and a balanced mix of unit sizes within new developments. Local Plan Policy HO5 requires a mix of housing types and sizes in development schemes, especially increasing the proportion of family accommodation (3 bed or more). The justification to Policy HO5 makes clear that 'there is a particular need in this borough for more family sized housing (3 or more bedrooms)'.

5.2.6 The current proposal comprises the following mix:

6 x 5 bed houses (33%)

3 x 4 bed houses (17%)

2 x 3 bed flats (11%)

3 x 2 bed flats (17%)

4 x 1 bed Flats (22%)

5.2.7 The proposal would provide a range of unit sizes, of which 61% offer family sized accommodation. This approach is welcomed and supported under London Plan Policy H10 and Local Plan Policy HO5.

## + Affordable Housing

5.2.8 Policy HO1 of the Local Plan sets out the Council's objective of delivering housing from a range of sources. All development should contribute to boosting overall supply, including market and affordable housing, by optimising land opportunities.

5.2.9 Both Local Plan Policy HO3 and London Plan Policy H4 identify the demand for affordable housing as a key issue, and the explanatory text to Policy HO3 identifies that within Hammersmith and Fulham there are nearly 2,000 applicants on the housing register and nearly 1,400 households in temporary accommodation.

5.2.10 London Plan Policy H4 requires 50 per cent of all new housing delivered to be genuinely affordable. The policy states that the Mayor will apply a threshold approach to applications which trigger affordable housing. London Plan Policy H5 identifies a 35% threshold for all sites above ten units except (only) for land in public ownership or public use, to which a 50% threshold applies. Where applications meet the requirements of Part C (meet or exceed the relevant threshold of affordable housing; are consistent with the relevant tenure split under Policy H6) the Fast Track Route can be followed (viability assessment not required). Where developments do not meet the requirements set out in Part C of the policy, a Viability Tested Route must be followed. Policy H5 states, in the case of Fast Tracked application, to ensure an applicant fully intends to build out the permission, the requirement for an Early Stage Viability Review will be triggered if an agreed level of progress on implementation is not made within two years of the permission being granted (or a period agreed by the borough).

- 5.2.11 Local Plan Policy HO3 sets a borough-wide target of at least 50% of all dwellings built to be affordable. Of this, 60% should be for social or affordable renting, especially for families, and 40% should be for a range of intermediate housing (e.g. shared ownership/London Living Rent). Policy HO3 also states Financial Viability Assessments are not required where developments provide 50% affordable housing on-site and are consistent with the tenure split as well as other policy requirements.
- 5.2.12 In this instance, the proposal comprises 18 dwellings, thereby triggering the threshold for affordable housing. In turn, the scheme proposes 9 affordable units (50%), all located within the apartment building, in accordance with the London Plan's strategic threshold approach (35%) and the Council's affordable housing target (50%) under Policies H4 and HO3, respectively. The proposal also delivers a policy compliant tenure split of 67% social rent and 33% intermediate (London Living Rent). On a unit count basis, this equates to 6 social rent flats and 3 intermediate (London Living Rent) flats, with the larger family sized homes provided as social rent accommodation.
- 5.2.13 Overall, the Proposed Development meets the requirements to qualify for the Fast Track Route, and appropriately responds to local housing needs. The affordable housing provision will be secured through a legal agreement, including an early stage viability review mechanism should the scheme fail to achieve substantial implementation within the specified timeframe, in accordance with London Plan Policy H5 (Part E).

### 5.3 QUALITY OF RESIDENTIAL ACCOMMODATION

- 5.3.1 London Plan Policy D6 places a significant focus on internal space standards for dwellings. The purpose of the policy is to ensure that all new homes are fit for purpose and offer the potential to be occupied over time by households of all tenures. Together with the DCLG's Nationally Described Space Standards (NDSS) it provides detailed standards which set out the minimum level of quality and design that new homes should meet.
- 5.3.2 Local Plan Policies HO4 and HO11 requires all housing to provide a high-quality residential environment and be well designed internally and externally. Planning Guidance SPD Key Principles HS1 and HS2 are also relevant with regards to internal space and amenity space provision for new dwellings, and reflects the requirements set out in the abovementioned London and NDSS.

#### + Internal space standards and Ceiling Heights

- 5.3.3 Unit sizes-Table 3.1 of London Plan Policy D6, the NDSS and Planning Guidance SPD Key Principle HS2 set out space standards for different residential units, to ensure new homes are fit for purpose and of the highest residential quality. To address the unique heat island effect of London and the distinct density and flatted nature of most of its residential development, London Plan Policy D6 and SPD Key Principle HS2 require a minimum floor to ceiling height of 2.5 metres for at least 75% of the gross internal area of each dwelling.

5.3.4 For the units proposed as part of this scheme the standards would be as follows:

- o 1b2p - minimum 50sqm (range 54sqm - 58sqm)
- o 2b4p - minimum 70sqm (range 70sqm - 81sqm)
- o 3b5p - minimum 86sqm (range 92sqm - 95sqm)
- o 4b8p - minimum 130sqm (range 169 sqm - 198sqm)
- o 5b8p bed - minimum 134sqm (all 198sqm)

5.3.5 All proposed units meet the minimum internal space standards for their respective sizes, and all have been designed with minimum floor-to-ceiling heights of 2.5m throughout. This demonstrates that the development would provide a good standard of accommodation in line with national and local policy requirements.

+ Aspect, light, outlook

5.3.6 The reception of light and outlook is important to the quality of life. Dual aspect dwellings, with opening windows on at least two sides, have many inherent benefits including better daylight, greater chance of direct sunlight for longer periods, natural cross ventilation, and greater capacity to address overheating, mitigating pollution, a choice of views and greater flexibility in use of rooms. While the amount of single aspect units should be kept to a minimum, it is acknowledged this will vary according to the specifics of each site and the design rationale for their use. Planning Guidance SPD Key Principle HS2 state developments should minimise the number of single aspect dwellings, and single aspect dwellings that are north facing should be avoided.

5.3.7 All 9 houses are dual aspect. In respect to the flats, 5 would be dual-aspect, with a further 2 homes designed as enhanced single-aspect homes that provide natural light and ventilation from two directions. Only 2 are single-aspect (west facing), and these have been carefully designed to meet quality standards. The proposed mix ensures good levels of daylight, ventilation, and outlook, contributing to a high standard of residential amenity.

5.3.8 A daylight and sunlight report supports the application which includes an assessment of the new residential units. The report is based on the latest 2022 revision of the BRE guidelines and uses the illuminance (daylight) and sunlight exposure methodologies.

5.3.9 Daylight Illuminance methodology uses Climate Based Daylight Modelling (CBDM) to determine the levels of illuminance (lux) achieved from daylight for at least half of the daylight hours in a typical year. The UK National Annex gives illuminance recommendations of 100 lux in bedrooms; 150 lux in living rooms; and 200 lux in kitchens. It is recommended that at least 50% of a room should exceed the recommended lux, for 50% of the total daylight hours in a year, for its use.

- 5.3.10 The BRE no longer recommends the use of the APSH assessment to assess sunlight potential in new dwellings, and instead concludes that a dwelling will appear reasonably sunlit provided at least one main window wall faces within 90 degrees of due south; and a habitable room, preferably a main living room, can achieve a total of at least 1.5 hours of sunlight on 21 March.
- 5.3.11 The submitted report confirms, of the 79 rooms assessed, 77 (97%) would meet or exceed the recommended minimum illuminance (daylight) levels set out in the BRE guidance. The shortfalls relate to a living/dining room in Flat 4 at first floor level; and a bedroom in Flat 2 at ground floor level, whereby daylight levels are restricted by balconies above. The balconies are clearly an asset to the flats they serve, and so should be balanced against the reduced daylight to the rooms below. Overall, on balance the overall level of daylight provided to units within the development would be acceptable.
- 5.3.12 In terms of sunlight, there are 43 rooms in 15 dwellings served by windows orientated within 90-degrees of due south and the analysis shows that 42 of these (98%) would receive at least 1.5 hours of sunlight on March 21st. Importantly, in each of these 15 dwellings at least one habitable room will receive a minimum 1.5 hours of sunlight on March 21st, ensuring compliance with the BRE guidance for sunlight amenity.
- 5.3.13 The overshadowing assessment shows that, whilst the sunlight received to the private gardens falls short of the BRE guidance when assessed on March 21st, however assessment in April illustrates that most gardens would be well sunlit from spring to autumn, with all meeting the criteria from May to August, when they will be used more frequently by residents.
- 5.3.14 Overall, having regard to the scale of the scheme, its orientation, and its urban context, the level of daylight and sunlight is considered to be good and acceptable. The proposal is therefore considered to provide a suitable standard of residential amenity for future occupiers, in accordance with relevant planning policy and guidance.

+ External amenity space/playspace:

- 5.3.15 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. Planning Guidance SPD Key Principle HS1 require a minimum of 5sqm of private outdoor space to be provided for 1-2 person dwellings and an extra 1sqm for each additional occupant. Key Principle HS1 also states that every new family (3 or more bedrooms) dwelling should have access to amenity or garden space, and for family dwellings on upper floors this space may be provided either as a balcony or terrace and/or communally within the building's curtilage. The policies do however recognise that in some cases, site constraints may make it impossible to provide private open space for all dwellings.
- 5.3.16 All 18 dwellings would benefit from private amenity space in the form of gardens, balconies, or roof terraces. In addition, 46 sqm of shared play space would be provided at ground floor level to the rear of the apartment building, suitable for children aged 0-4 and 5-11.

## Conclusion:

5.3.17 Overall, for the reasons set out above, Officers are satisfied that the development would provide a suitable standard of accommodation in accordance with DCLG's Nationally Described Space Standards, London Plan Policy D6, Local Plan Policies HO4, HO11, CC11 and CC13, and relevant Key Principles of the planning Guidance SPD.

## 5.4 ACCESSIBILITY; SECURE BY DESIGN; AND FIRE SAEFTY

### + Accessibility

5.4.1 London Plan Policy D7 and Local Plan Policy HO6 require 90% of new units to be built to building regulations standard M4(2) 'Accessible and adaptable buildings', with the remaining 10% built to standard M4(3) 'Wheelchair accessible dwellings'.

5.4.2 In accordance with the above standard it is proposed that House 6 fronting Spring Vale Terrace, and Flat 4 at ground floor level within the apartment building would be built to M4(3) wheelchair accessible standard whilst the remainder would all be M4(2). The development would also provide level access compliant with M4(2) of the Building Regulations to all dwellings, including a passenger lift within the apartment building. Detailed plans to demonstrate compliance, will be secured by a condition.

5.4.3 In addition, the development would include 1no. dedicated on-site Blue Badge car parking space.

### + Secure by Design

5.4.4 London Plan Policy D11 and Local Plan Policy DC1 require new developments to respect the principles of Secured by Design and to ensure that proposals create a safe, secure, and appropriately accessible environment where crime and disorder and the fear of crime do not undermine quality of life or community cohesion. Full details of how the proposal will incorporate measures for crime prevention will be secured by a condition.

### + Fire Safety

5.4.5 The matter of fire safety compliance is covered by Part B of the Building Regulations. However, London Plan Policy D12 recommends the fire safety of developments to be considered from the outset. London Plan Policy D12 states that 'all development proposals must achieve the highest standards of fire safety' and the requirements are set out in Section A (criteria 1-6).

5.4.6 As required a Fire Statement, prepared by an independent and suitably qualified third party, has been submitted in support of the proposal. The buildings do not fall under the category of a 'relevant building' as defined in Building Regulation 7(4) because the height condition is not met, and the HSE have confirmed their consultation is therefore not required. The Fire Statement evaluates the proposal alongside British Standards, demonstrating the fire

safety measures to be implemented as part of this development in respect to life safety of the occupants and facilitating adequate fire service access. Officers are satisfied that the submitted Fire Statement provides sufficient information for the planning stage, however fire safety compliance will be subject to final approval under Building Regulations.

## 5.5 DESIGN AND HERITAGE

### + Design

- 5.5.1 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.
- 5.5.2 Policy D3 (Optimising site capacity through the design-led approach) of the London Plan 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".
- 5.5.3 Policy DC1 (Built Environment) of the Local Plan states that all development within the borough should create a high-quality urban environment that respects and enhances its townscape context and heritage assets.
- 5.5.4 Policy DC2 (Design of New Build) of the Local Plan 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.
- 5.5.5 The Council's Supplementary Planning Guidance SPD (2018) is relevant, in particular its Key Principles. These Key Principles provide guidance which seeks to ensure that heritage assets are conserved in a manner appropriate to their significance in accordance with the NPPF.

## + Scale and Massing

- 5.5.6 The proposed scheme comprises three elements: a two-storey terrace, with a further set-back storey at roof level, facing on to Springvale Terrace; a three storey apartment building with a further set-back storey at roof level, also facing on to Springvale Terrace; and a three-storey terrace with a further set-back storey at roof level, located to the rear of the site and aligned parallel to Springvale Terrace. A road is located in the gap between the two blocks on Springvale Terrace to provide access to the rear terrace block as well as a communal hard landscaped space with car parking and a small play space.
- 5.5.7 The proposed terrace of three houses on Springvale Terrace complements the existing terrace of two-storey Victorian cottages further along the street, to the north of the site. The proposed houses are slightly taller than their neighbours owing to the storey heights required to achieve appropriate internal ceiling heights but the parapet height sits well below that of the existing building. The proposed mass and height of the terrace is considered to be an appropriate response to its neighbouring context and an improvement on the existing building's presence on the street.
- 5.5.8 The proposed apartment building is a storey higher than the proposed terrace but, by virtue of being separated from the terrace and being located at the end of the street where there is a mix of building form and scale that is less sensitive to building heights, the proposed mass and height is considered acceptable.
- 5.5.9 The proposed terrace of houses to the rear of the site is also a storey higher than the new terrace on Springvale Terrace. However, this part of the site is separated from surrounding residential development on all three boundaries by extensive commercial development in the form of large footprint, warehouse-style office buildings comprising 2-3 storeys. As a result, although the new terrace would be taller than these immediate neighbours, the significant reduction in building footprint compared to the original, separation distances and intervening commercial combine to make the proposed height and massing acceptable in relation to its surrounding residential context.
- 5.5.10 Given the varied setting of the development, it is not considered that the proposal would overly dominate the street scene, and the overall scale of the proposals would not appear out of character with the scale of neighbouring residential buildings or surrounding commercial development.

## + Architectural Character

- 5.5.11 The proposed development comprises two residential archetypes, the terrace and the low-rise apartment block, both of which are designed to be complementary to each other in terms of scale and architectural treatment to create a visually coherent development.
- 5.5.12 The proposed façade compositions are contemporary interpretations of the local Victorian residential development, having generously scaled window and door openings with a strong vertical emphasis.

- 5.5.13 The proposed palette of facing materials is simple and is applied to all buildings. All are faced in buff brickwork with the set-back upper storeys finished in pale grey metal cladding, influenced by the stock brickwork and slate of its Victorian neighbours. The brick facades are given visual interest by the use of projecting stone string courses, decorative surrounds to window reveals and deeper projecting surrounds to front doors.
- 5.5.14 The terrace and apartment block are set back from the rear of the pavement on Springvale Terrace, to align with the neighbouring terrace and to create shallow, private front yards. These will be enclosed with metal railings and will have hedge planting to add a degree of privacy to ground floor rooms.
- 5.5.15 The open spaces in the development are predominantly hard landscape, to accommodate vehicular access and private car parking, but this will be softened by tree planting and areas of lawn to rear gardens serving the terraced houses on Springvale Terrace. Flat roofs and selected roof terraces will be finished as green "living" roofs in combination with PV arrays.
- 5.5.16 The proposed scheme is considered to represent a high quality of design, with the facades of the building being well articulated and enhanced with defined resident entrances.

#### + Heritage

- 5.5.17 The Planning (Listed Buildings and Conservation Areas) Act 1990 establishes the key statutory duties for applications affecting listed buildings and conservation areas. Sections 66 and 72 require decision-makers to give special regard to preserving listed buildings, the character and appearance of conservation areas and their wider setting.
- 5.5.18 The NPPF, supported by Planning Practice Guidance, is a material consideration in planning decisions. It emphasises that heritage assets are irreplaceable and should be conserved according to their significance. Local planning authorities must assess significance, weigh harm against public benefits, and give great weight to conservation. Harm to heritage assets requires clear and convincing justification, and substantial harm or loss should be exceptional or wholly exceptional for assets of the highest significance. The NPPF distinguishes between designated and non-designated assets and between substantial and less than substantial harm. Case law confirms that following NPPF guidance generally satisfies statutory tests, but decision-makers must still give great weight to preservation when balancing harm and benefits.
- 5.5.19 Policy HC1 (Heritage conservation and growth) of the London Plan requires proposals affecting heritage assets to conserve their significance, manage cumulative impacts, and integrate heritage considerations early in the design process. Development should avoid harm and seek opportunities for enhancement.

- 5.5.20 Policy DC1 (Built Environment) of the Local Plan states that all development within the borough should create a high-quality urban environment that respects and enhances its townscape context and heritage assets.
- 5.5.21 Policy DC8 (Heritage and conservation) seeks to conserve the borough's historic environment by protecting, restoring, and enhancing heritage assets, including listed buildings, conservation areas, historic parks and gardens, Fulham Palace Moated Site, archaeological remains, and locally important buildings. The presumption is in favour of conservation, and proposals should secure the long-term future of heritage assets. Applications affecting designated assets will only be permitted where their significance is conserved or enhanced, and proposals should respect their setting and inform high-quality design. For non-designated assets, decisions will consider the scale of harm and the asset's significance. Particular regard will be given to scale, height, massing, alignment, materials, and use. Changes of use must be consistent with conservation aims and secure optimum viable use. Applications should include an assessment of significance and impact, proportionate to the asset's importance, and archaeological evaluation where relevant. Proposals causing harm will be refused unless meeting NPPF criteria. Where retention is not possible, developers must record the asset to advance understanding. Designs should be inclusive, consider climate change mitigation in relation to significance, and seek expert advice on archaeology. The policy also prioritises securing the future of assets at risk.
- 5.5.22 The Council's Supplementary Planning Guidance SPD (2018) is relevant, in particular Key Principles AH1 (Information Requirements for applications for consent affecting heritage assets) AH2 (Protection of Heritage Assets) and BM2 (Proposals affecting buildings of merit). These Key Principles provide guidance which seeks to ensure that heritage assets are conserved in a manner appropriate to their significance in accordance with the NPPF.
- 5.5.23 In the first instance, the assessment to be made is whether the development within the setting of a designated heritage asset will cause harm to that designated heritage asset or its setting. If no harm is caused, there is no need to undertake a balancing exercise. If harm would be caused, it is necessary to assess the magnitude of that harm before going to apply the balancing test of the NPPF as appropriate.

+ Heritage assets

- 5.5.24 The site is located in the Lakeside/Sinclair/Blythe Road Conservation Area. It does not include any designated/non-designated heritage assets. The impact of proposals upon the setting of this heritage asset are considered below. Given the modest scale of proposals, the development is not considered to impact upon the setting of any other heritage assets.
- 5.5.25 The Lakeside/Sinclair/Blythe Road Conservation Area was designated in 1990. The conservation area is adjoined by the Melrose Conservation Area to the west, the Brook Green Conservation Area to the southwest, and the Olympia & Avonmore Conservation Area to the south.

- 5.5.26 The area covered by the conservation area developed rapidly from the late 1870's and had the form that now exists by the end of the 19th Century. Prior to the building boom after the development of the railways, as historic maps show, the area was given over to brickfields used by local builders, market gardening and some agriculture.
- 5.5.27 The site is located in sub-area 5 of the conservation area, Blythe Road (West). The site adjoins other back-land commercial development with an urban block bounded by Springvale Terrace to the east, Blythe Road to the south and west, and Redan Road to the north. This area is unusual in that its original and continuing industrial uses date from the early 19th century, before the late 19th century residential development that now encloses it.
- 5.5.28 The Conservation Area Statement notes, in relation to Springvale Terrace: "Nos. 13 to 22 are two storey brick built houses with pitched roofs with stucco ground floors with a stucco string course and some retain original iron railings. No. 15 and 16 have basements and are commensurately taller. The rear of Berghem Mews Business Village backs onto the street and this is a modern building that does not reflect the narrow grain of the street and does not enhance the character of the conservation area."

+ Assessment of harm

- 5.5.29 The application is supported by a Townscape and Visual Impact Appraisal. This assessment notes that the surrounding townscape is varied, with the existing industrial/commercial development, the existing building on this site fronting onto Springvale Terrace and Burnand House and Bradford House presenting a markedly different character from the traditional Victorian streets nearby. Furthermore, officers note that the existing building serves to detract from the prevailing quality and simple detailing of the properties located along this section of the conservation area.
- 5.5.30 The form of the proposed development complements the finer grain and terraced character typical of the conservation area and reinforces the existing streetscape.
- 5.5.31 The Townscape and Visual Impact Appraisal notes that the proposed development would be partially visible from Blythe Road, at the entrance to Blythe Mews (to the northwest of the site) and at the entrance to Berghem Mews (to the southeast of the site). The gable ends of the existing warehouse are visible from these locations and although the proposed buildings would be slightly taller in these views, the form and architectural character of the proposed buildings would ameliorate their impact and would have a neutral or minor positive effect on the setting of the conservation area.
- 5.5.32 The proposed development would replace existing low quality, degraded industrial buildings that make no contribution to the setting of the conservation area with an appropriately animated and well detailed buildings. As such, officers conclude that the scheme would although introducing a more significant built form, would have a largely beneficial effect on the setting of this section of the conservation area and would not harm its character, appearance or significance, which would remain clearly legible and retained overall.

## + Design and Heritage conclusion

5.5.33 It is considered that the proposal would be a high-quality development in keeping with the visual appearance and character of the locality and would make a positive contribution to the urban environment in this part of the Borough, whilst also optimising the development potential of the site. Furthermore, the development would not cause harm to the setting of any adjacent heritage assets, and would preserve and enhance the character, significance and setting of the Lakeside/Sinclair/Blythe Road Conservation Area.

5.5.34 As such, 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) and Key Principles of the Planning Guidance SPD (2018).

5.5.35 To ensure the proposal achieves a high quality design and appearance, it is recommended conditions are attached to secure details in plan, section and elevation of typical bays at a scale of 1:20, and samples of materials palette.

## 5.6 RESIDENTIAL AMENITY

5.6.1 Local Plan Policy HO11 states that proposals 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
- Openness between properties.

5.6.2 Policies DC1 and DC2 require all proposals for new builds 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.

5.6.3 The residential properties most likely to be affected by the proposed development are those located on Spring Vale Terrace, both to the north and directly opposite the site, together with the dwellings on Blythe Road to the south. In addition, several commercial premises within Berghem Mews Business Park adjoin the site to the north, west, and south, and a day nursery is situated immediately to the south.

## + Privacy

5.6.4 Key Principle HS7 (iii) of the Planning Guidance states that new windows should normally be positioned so that they are a minimum of 18 metres away from existing residential windows, measured by an arc of 60 degrees taken from the centre of the proposed window. Key Principle HS8 (i) states that planning permission will not be granted for roof terraces or balconies where their use would harm the amenity of neighbouring occupiers by reason of noise and disturbance, or where they would result in additional opportunities for overlooking and a consequent loss of privacy.

- 5.6.5 The proposed development has been carefully designed to respect neighbouring properties and to maintain appropriate separation distances. With the exception of the elevations facing Spring Vale Terrace, all new windows comply with the minimum 18-metre separation distance requirement. In relation to the Spring Vale frontage, the proposed terraced housing and apartment building would provide a separation distance of just over 14 metres between their front elevations and the residential windows at nos. 7 and 13-17a Spring Vale Terrace on the opposite side of the street. This falls below the 18-metre minimum set out in Key Principle HS7(iii) of the Planning Guidance SPD. However, the existing building already exhibits a broadly similar relationship with the properties opposite. Furthermore, such front-to-front distances between windows on either side of a street are typical of the prevailing local street pattern. For these reasons, Officers consider that the proposed relationship would not result in unacceptable overlooking or constitute an unneighbourly form of development.
- 5.6.6 The proposal includes balconies and terraces serving individual units, positioned so that they do not project beyond the windows on the floors below. As such, they would not create any additional opportunities for overlooking of the surrounding residential properties beyond those already assessed in relation to the proposed windows. The outdoor areas are modest in scale and fall below the size thresholds set out in Policy HS8, which would inherently limit the intensity of their use. When combined with the maintained separation distances to neighbouring properties, it is considered that the proposed balconies and terraces would not give rise to any significant amenity impacts in respect of privacy or noise.
- 5.6.7 Overall, the proposal would not result in a significant loss of privacy, overlooking or an unacceptable level of disturbance to neighbours. In this regard the proposed development complies with Local Plan Policies DC1, DC2 and HO11, and Key Principles HS7 and HS8 of the Planning Guidance SPD.

+ Sunlight and Daylight:

- 5.6.8 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.
- 5.6.9 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.

- 5.6.10 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 suggests 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. a reduction of no more than 20%).
- 5.6.11 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 targets, and the absolute loss is greater than 4%, 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%).
- 5.6.12 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), or at least 0.80 times the area receiving 2 hours of sunlight in the existing conditions. for them to be considered adequately sunlit.
- 5.6.13 The application is accompanied by a detailed daylight and sunlight assessment which considered the impact to the following properties:
- o 13, 14, 15, 16 and 17a Springvale Terrace.
  - o 17, 18 and 19 Springvale Terrace.
  - o 140 to 160 Blythe Road (evens inclusive).
  - o Berghem Mews: North units, Nos 13, 14, 15, 15B.
  - o Berghem Mews: Nos 1, 2, 3, 4, 19, 20.
  - o Berghem Mews: South units, No. 17 and Monkey Puzzle Day Nursery
- 5.6.14 The analysis results show that, with the exception of 17 Spring Vale Terrace; 142a and 144a Blythe Road; and 14, 15B, and 17 Berghem Mews, all the windows and rooms assessed in the properties above would comply with the BRE guidelines for both daylight and sunlight amenity. Where failings occur this is discussed in more detail below.

#### + Daylight

- 5.6.15 In relation to daylight, of the 377 neighbouring windows assessed using the Vertical Skyline Component ('VSC') method, 99% would meet or exceed the BRE guidance. Reductions beyond this guidance would be limited to four windows comprising of a glazed side-door to 17 Springvale Terrace and three lightwell windows at 17 Berghem Mews.
- 5.6.16 For completeness, an assessment of daylight using the No Sky Line ('NSL') method has also been undertaken. This demonstrates that of the 76 rooms assessed, 96% of rooms assessed would meet the BRE guidance. Reductions beyond the guidance would be limited to a first-floor office in 15B Berghem Mews, alongside two basement-level habitable rooms at 142 - 144a Blythe Road.

- 5.6.17 In more detail, 1no. glazed side door at 17 Spring Vale Terrace to the north, serving a kitchen would experience a minor reduction in VSC from 11.92% to 8.97%. However, the kitchen also benefits from main window to the rear elevation which would see a gain in VSC from 21.96% to 23.91%, as a result of a reduction in the height of the wall at the northern site boundary. Using the NSL test, all habitable rooms would meet or exceed the recommended minimum value, including the kitchen. Separately, in terms of sunlight amenity, all applicable rooms of the property would meet or exceed the BRE guidance for sunlight amenity using the APSH test.
- 5.6.18 Floor plans obtained for 17 Berghem Mews suggest the units within the two-storey office block are open plan and served by multiple windows. Of the 19 windows requiring assessment, 16 would meet or exceed BRE guidance using the VSC test. The remaining three windows are all located within the lightwell and would retain between 0.74 and 0.79 times the VSC in the existing conditions. However, the shortfall is marginally below the BRE recommendation of 0.80, and one window serving each room would meet the BRE guidance for VSC. Furthermore, all rooms would meet the guidance using the NSL test. In terms of all windows orientated south all meet the BRE guidance using the APSH test.
- 5.6.19 Floor plans obtained for 14 and 15B Berghem Mews also confirm the office block comprises units as open plan and served by multiple windows. Of the 28 windows assessed, all would meet or exceed the BRE guidance for VSC, either retaining at least 27% or experiencing no more than a 20% loss from the existing value. Two of the three rooms assessed would comply with the BRE guidance using the NSL test, with Unit 15B retaining 0.74 times the NSL in the existing conditions, marginally below the BRE recommendation of 0.80.
- 5.6.20 2no. basement habitable rooms at 142a and 144a Blythe Road located within the rear elevation of the main buildings, set between the flanks of the projecting wings would retain 0.77 times the existing NSL values, only marginally below the BRE recommendation of 0.80. The windows serving these flats would meet the guidance using the VSC test for daylight.

#### + Sunlight

- 5.6.21 95% of the 145 windows tested would meet the BRE guidance using Annual Probable Sunlight Hours ('APSH') test. Reductions beyond the guidance are limited to office space in 14 and 15B Berghem Mews. Of the 15 windows orientated within 90-degrees of due south, eight would meet the BRE guidance using the APSH test. Reductions beyond the guidance occur to 7 skylights directly opposite the development, serving first and second-floor offices. Unit 14 has windows that continue to meet the guidance with the APSH test. While there would be reductions, Local Plan Policies are aimed at protecting daylight and sunlight to residential properties (Policy HO11). The BRE guidance is clear that the advice given here is not mandatory and the guide should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer. Although it gives numerical guidelines, the BRE guidance states these should be interpreted flexibly since natural lighting is only one of many factors in site layout design. On this basis, the identified reductions to the commercial premises are considered acceptable, and on balance, taking into

account the wider benefits of the proposals it would be unreasonable to withhold planning permission on the basis of the above.

#### + Overshadowing

5.6.22 The proposed development has also been assessed in relation to its impact on sunlight to neighbouring gardens and amenity spaces, in accordance with the BRE guidelines. The findings confirm that all assessed gardens would continue to receive good levels of sunlight, with more than 50% of each garden benefiting from at least two hours of direct sunlight on 21 March, or at least 0.80 times the area receiving 2 hours of sunlight in the existing conditions. The development is therefore not expected to give rise to any significant or unacceptable overshadowing effects on surrounding private amenity areas.

#### + Conclusion

5.6.23 Overall, the assessment confirms that the proposed development would have an acceptable impact on neighbouring properties. The majority of assessed windows and rooms achieve the BRE target criteria for daylight (VSC and NSL) and sunlight (APSH). Where shortfalls occur, these are either minor, limited to secondary or less sensitive windows, and are considered acceptable given the function of the affected rooms and the dense urban context of the site. The level of impact identified is not considered significant and would not warrant refusal of planning permission.

#### + Outlook

5.6.24 Key Principle HS6 provide a useful framework for assessing impacts on outlook, seeking to ensure that development does not appear overbearing or lead to an unreasonable sense of enclosure for neighbouring occupiers. The principles emphasise appropriate scale, massing and siting so that buildings respect their surroundings and maintain acceptable relationships between adjacent properties, particularly in terms of outlook and spatial separation. While the guidance is largely focused on the assessment of householder extensions and smaller-scale development, its overarching objectives remain relevant and can still inform the consideration of outlook impacts arising from larger schemes, alongside a more detailed, site-specific design assessment.

5.6.25 The nearest residential properties to the front of the site on the opposite side of Spring Vale Terrace are located c.14 m from front elevation of the proposed development. The opposing houses benefit from habitable room windows in the front elevation facing the site. Whilst the proposal would introduce larger buildings to this part of the site, the separation distance would ensure that the proposal would not breach a 45-degree angle when taken from the window of these neighbours. As such, it is considered that the proposal would not result in a significant loss of outlook to these neighbours.

5.6.26 In relation to the residential properties on Blythe Road to the south, the rear elevations of these dwellings are situated c.17 metres from the proposed development. Owing to the intervening commercial buildings—Monkey Puzzle Day Nursery and 17 Berghem Mews—the development would be visible primarily from the upper floors of the Blythe Road properties, although partial

views of the new buildings may be available from lower windows and gardens through gaps between the commercial structures. Nonetheless, the proposal would not infringe upon a 45 degree line when measured from the rear windows or rear boundary lines of these neighbouring dwellings. As such, no unacceptable impacts on outlook would arise.

5.6.27 No.17 Spring Vale Terrace to the north would have views of the flank wall of the part two part three storey Spring Vale Terrace houses from the opposing kitchen window. However, as outlined in the daylight and sunlight assessment, this is not the sole window serving the room; the rear window would continue to benefit from an open outlook across the garden. It is noted the rear garden of no.17, along with those of the adjoining properties to the north, would benefit from the increased openness created through the removal of the existing building and lowering of the boundary wall whereby a visual break (17m) between the two rows of new terraced housing would be introduced. Given these factors, and taking into account the separation distance to the nearest mews house, the development is not considered to result in a significant loss of outlook for these neighbouring occupiers.

5.6.28 The proposals would result in a noticeable increase in the height of the development when viewed from the neighbouring commercial properties of Berghem Mews. This change would be most apparent from the opposing windows and lightwell areas of the buildings directly adjoining the site to the north and south, where the higher flank walls of the new buildings would be visible. However, these commercial properties would also benefit from the increased openness created through the removal of the existing structure and the introduction of a visual break (range 15m-17m) between the Spring Vale Terrace and Berghem Mews facing buildings. With respect to the commercial properties located to the west within Berghem Mews, the nearest elevations are positioned approximately 15 metres from the proposed mews houses. Although the proposed buildings would exceed the height of the existing structure, the setback of the development from the current building line ensures that it would not breach a 45 degree line when measured from opposing windows. Nonetheless, consistent with the daylight and sunlight assessment, any reduction in outlook is considered to carry significantly less policy weight where it relates to commercial occupiers (Local Plan amenity policies focus primarily on the protection of residential environments).As such, the impact on the aesthetic view or visual enclosure experienced from the surrounding offices or workspaces is not considered to result in an unacceptable level of harm that would justify a refusal of planning permission.

#### + Environmental Nuisance

5.6.29 London Plan Policy D14 states in order to reduce, manage and mitigate noise to improve health and quality of life, development proposals should manage noise by avoiding significant adverse noise impacts on health and quality of life.

5.6.30 Local Plan Policy CC11 states that noise-generating development will not be permitted if it would be liable to materially increase the noise experienced by the occupants of existing noise-sensitive uses in the vicinity. Policy CC13 states that the Council will, where appropriate require mitigation measures if a nuisance (such as smoke, smell, or noise) would be likely to occur.

5.6.31 The change of use of the site from commercial/light industrial use to residential, will in itself reduce the potential for ambient noise emissions. New plant will be located at roof level. Environmental Protection Officers are satisfied that, subject to conditions relating to enhanced sound insulation, noise levels and anti-vibration measures, the operation of the proposed plant would have a negligible impact on the amenities surrounding properties. As part of the conditions a post installation noise assessment will be required to be carried out to confirm compliance with the sound criteria and where necessary additional steps to mitigate noise shall be taken, as necessary. If complaints are received officers can assess the noise levels and determine any non-compliance, and appropriate action can be taken. In terms of external lighting a condition will be imposed to ensure this is suitably located.

#### + Building Works

5.6.32 In accordance with SPD Key Principle NN7 a draft Demolition and Construction Management Plan supports the application to address disturbance during the building works. Given that the level of detail required will not be available until such a time that the specialist contractors are on board, a final Demolition and Construction Management Plan is secured by a condition.

## 5.7 HIGHWAYS AND TRANSPORTATION

5.7.1 The NPPF requires that developments should ensure that appropriate opportunities to promote sustainable transport modes are taken and that safe and suitable access to sites can be achieved; and 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. All developments that will generate significant amounts of movement should be required to provide a travel plan, and should also be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

5.7.2 London Plan Policies T1, T2, T3, T4, T5, T6.4 and T7 set out the intention to encourage consideration of transport implications as a fundamental element of sustainable transport, supporting development patterns that reduce the need to travel or that locate development with high trip generation in proximity of public transport services. The policies also provide guidance for the establishment of maximum car parking standards.

5.7.3 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'.

5.7.4 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".

- 5.7.5 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. These are supported by Key Principles TR1-TR4, TR6-TR7, TR17 and TR21 and TR27 of the Planning Guidance SPD.
- 5.7.6 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, WM7 and WM11 are also applicable which seek off-street servicing for all new developments.
- 5.7.7 In accordance with the above policies a Transport Statement (TS), a draft Travel Plan, and an outline Construction Logistics Plan have been prepared to support the planning application.

#### + Context

- 5.7.8 The site is within the 'BB' CPZ, which is in operation Mon-Fri 9am-6pm. According to TfL's WebCAT 3.0 tool, the site is split across two different PTALs (2&4).

#### + Access

- 5.7.9 Access Vehicular access to the site is proposed to be provided from Springvale Terrace, which would involve the retention of an existing access point. This is considered to be acceptable in principle; however, a S278 agreement will need to be entered into in order for additional improvements to the Highway to be secured including the removal of an additional crossover and reinstatement of existing footway. This will allow for an improved pedestrian access into the site.

#### + Trip Generation

- 5.7.10 It has been estimated using a first principles approach that the existing use on the site (Class E and Class B8) could provide a total of 139 FTE employees. This would see a daily total of 278 trips, of which 47 would be by car when assessed against the census mode share data. The TRICS database has been consulted as part of the trip generation assessment for the proposed use, and different sites have been used to provide reliable data for both the houses and the flats. The proposed residential development is expected to generate 64 fewer daily trips than the permitted commercial use, representing a reduction of about 23%. Additionally, the scheme would lead to a net decrease of 21 car-driver trips per day. In terms of delivery and servicing trips, the proposed development is anticipated to deliver a net reduction of 36 delivery and servicing trips per day, comprising 18 fewer vehicle arrivals and 18 fewer departures. This represents a notable decrease in servicing activity compared to the existing permitted uses, with the residential scheme generating significantly fewer delivery and servicing movements than the baseline industrial operations.
- 5.7.11 In conclusion, the proposed development is not anticipated to cause an impact to the operation of the highway in relation to the associated trip generation.

#### + Car parking

- 5.7.12 Local Plan Policy T4 and Key Principle TR3 of the Planning Guidance SPD sets out vehicle parking standards and states that the council will require car parking permit free measures on all new developments, particularly those in Public Transport Accessibility Level (PTAL) areas of 3 and above, unless evidence is provided to show that there is a significant lack of public transport available. London Plan Policy T6 specifies that car-free development should be the starting point for all development proposals in places that are well connected by public transport. London Plan Policy T6.1 requires the provision of blue badge parking for 3% of the total number of dwellings and also requires proposals to demonstrate as part of a Parking Design and Management Plan, how an additional 7% of dwellings could be provided if required.
- 5.7.13 A total of 5 parking spaces including one dedicated disabled space are proposed within the site. Using Transport for London's methodology, the application site is split across two different PTALs (2&4), although the majority of the site, including the access via Spring Vale, is within PTAL 2. As such the London Plan does permit some on-site parking. The proposal is for a restrained amount of parking (5 spaces for 18 dwellings - 0.28 per dwelling), which is below London Plan Policy T6.1 standard for PTAL 2 (0.5 spaces per dwelling). All spaces will be equipped with EV charging. In line with London Plan Policy T6, 3% of will be provided with an accessible parking space from the outset of the development, which is equivalent to one accessible parking space.
- 5.7.14 In line with London Plan Policy T6.1 a Car Parking Management Plan including details of how the off-street blue badge space is allocated, and the provision of electric vehicle charging points for each space will be secured by condition.
- 5.7.15 Separately, to prevent an increase in parking stress within surrounding streets, as well as to reduce the impact on air quality which additional car generation would otherwise create, the applicant has agreed that the proposed development will be parking permit free. Prohibition of future residents to obtain parking permits will remain to be secured through section 16 of the Greater London (General Powers) Act 1974.
- 5.7.16 The TS also notes that a car club membership will be provided to first occupiers of the development. This is welcomed, and will be secured within the legal agreement along with a £100 spending credit with each membership.

#### + Cycle parking

- 5.7.17 London Borough of Hammersmith and Fulham is a borough where higher minimum cycle parking standards apply. London Plan Policy T5 and Local Plan Policy T3 seek to increase and promote opportunities for cycling and walking, including by requiring new developments to include the provision of convenient, accessible and safe cycle parking. Cycle parking spaces are required to be in a safe, easily accessible and convenient location, must be built for the life of the development and should comply with the West London Cycle Parking Guidance (2017) and London Cycling Design Standards (Chapter 8).

- 5.7.18 London Plan Policy T5 requires 1.5 cycle parking spaces for all 2-person 1 bedroom dwellings and 2 cycle parking spaces for all other dwellings. Separately, a minimum of 2 short term spaces are required for all residential developments providing between 5-40 dwellings. These are required to be safe, accessible and conditioned for the life of the development.
- 5.7.19 In line with London Plan Policy T5, a total of 35 long stay and 2 short stay spaces are proposed. Cycle storage for the houses would be provided within individual stores outside the dwelling in accessible locations. An internal communal store would be provided for the flats. While acceptable in principle, full details of cycle storage will be secured by condition to ensure the provision is safe, accessible and convenient.

#### + Servicing and deliveries

- 5.7.20 It is proposed for waste collection to take place from the carriageway on Springvale Terrace as per the existing arrangements for other properties on this road. Residents of the mews Houses will transfer bins to a designated collection point within the central courtyard. From here, bins will be brought forward to the holding area in front of the bin store on Springvale Terrace, stored in an orderly manner for collection, and returned to the mews on the same day. A final Waste Management Strategy will be secured by a condition to ensure bins are not left on the public highway. The monitoring of this will be secured by a legal agreement.
- 5.7.21 Separately, swept path drawings demonstrate the ability of smaller vehicles such as Sprinter type vans to enter and exit the site in an appropriate manner. Officers are satisfied that the site would be able to accommodate the proposed level of servicing and delivery demand associated with the residential use.

#### + Travel Plan

- 5.7.22 A draft Travel Plan supports the application. One element of the strategy includes providing residents with car club membership. As above, this is welcomed alongside a spending credit for first occupiers. A detailed Travel Plan and associated monitoring fee will be secured within the S106.

#### + Building Impacts

- 5.7.23 To manage the construction phase of the development and the associated impacts of construction traffic accessing the site, the application is supported by an outline Demolition and Construction Logistics Plan (D/CLP). A final D/CLP will be secured by a condition, including associated monitoring fees (secured by a legal agreement), and will remain live a document with ongoing consultation with the Council's Highways Officers.
- 5.7.24 In summary, there are no objections to the proposal based on highways, traffic or parking. Subject to the outlined conditions and legal obligations the proposal accords with the above policies.

## 5.8 FLOOD RISK AND SUDS

- 5.8.1 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.
- 5.8.2 Local Plan Policy CC2 requires major developments to implement sustainable design and construction measures, including making the most efficient use of water. 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.
- 5.8.3 This site is in the Environment Agency's Flood Zone 3. As required by policy, the application is supported by a Flood Risk Assessment and a separate Drainage Strategy.
- 5.8.4 There are no basement levels proposed in the new development so groundwater and internal sewer flooding risks will be low. The main potential risks will come from the River Thames and surface water flooding.
- 5.8.5 Although located in Flood Zone 3, the site is well protected from flood risk from the River Thames by the Thames Barrier and river wall defences. If these were breached or over-topped, the site would not be impacted by floodwater. This is also the case in the future scenario taking account of climate change impacts. For surface water, most of the site is regarded as low risk although part of the site around the access road into the site is shown on flood mapping to be at risk of ponding of flood water in the event of a major storm. Some of the surrounding areas also look to be at risk, beyond the site itself.
- 5.8.6 The FRA includes information on flood mitigation measures which it is recommended are integrated and states that a Flood Warning and Evacuation Plan will be produced for owner/occupiers on the site. The FRA is considered acceptable. A condition will secure the implementation of the recommended flood mitigation, resistance and resilience measures as outlined in the FRA.
- 5.8.7 With regards to managing surface water run-off, the Drainage Strategy sets out proposals to integrate SuDS measures and to limit the final discharge of stormwater to the sewer network to 2 l/s. For the 1 in 100 year storm + climate change factor, this approach would provide a 98% reduction in discharge rate.
- 5.8.8 The Strategy proposes that sufficient attenuation storage space would be provided by a mix of permeable paving, an attenuation tank, soft landscaping including green roofs, in order to manage surface water from storm events up to and including the 1 in 100 year storm (+climate change factor). Final design details including a maintenance plan will be secured by condition.

- 5.8.9 Thames Water raises no objection subject to a condition relating to a Piling Method Statements and informatives relating to water pressure and Groundwater Risk Management Permit.
- 5.8.10 On this basis, subject to conditions, officers consider that the proposed development would not detrimentally impact on flood risk or surface water run-off and would be in accordance with the policies cited above.

## 5.9 ENERGY AND SUSTAINABILITY

- 5.9.1 London Plan Policy SI 2 seeks to extend the extant requirement on residential development to non-residential development to meet zero carbon targets. It maintains the expectation that a minimum reduction of 35% beyond Building Regulations to be met on site (10% or 15% of which should be achieved through energy efficiency for residential development, and non-residential development). Where it is clearly demonstrated that the zero-carbon target cannot be met on site, the shortfall should be provided through a cash in lieu contribution to the borough's carbon offset fund, or off-site provided an alternative proposal has been identified and delivery is certain.
- 5.9.2 London Plan Policy SI 4 seeks to minimise internal heat gain and the impacts of urban heat island effect through design, layout, orientation and materials. An energy strategy should demonstrate how development proposals will reduce potential for overheating and reliance on air conditioning systems in accordance with a hierarchy that prioritises the minimisation of internal heat generation through energy efficient design and reductions to the amount of heat entering a building.
- 5.9.3 Local Plan Policy CC1 requires major development applications to include an Energy Assessment which demonstrates how the scheme will implement energy conservation measures by implementing the London Plan sustainable energy policies and meeting associated CO2 reduction target and demonstrating that a series of measures have been taken to reduce the expected energy demand and CO2 emissions. It requires the use of on-site energy generation to further reduce CO2 emissions where feasible. Policy CC2 seeks to ensure the implementation of sustainable design and construction measures by implementing the London Plan sustainable design and construction policies. The Policy requires all major development applications to provide this information in a Sustainability Statement (or equivalent assessment such as BREEAM). These are supported by Key Principles set out in the Energy and Sustainable Design Construction Chapters of the Planning Guidance SPD.
- 5.9.4 As required an Energy and Sustainability Statement have been provided with this application.

- 5.9.5 The London Plan Energy Hierarchy has been followed in developing the Energy Strategy for the site. The proposals include improvements in the energy efficiency levels of the buildings such as improved insulation levels and better airtightness levels, as well as use of heat recovery on the ventilation system and use of LED lighting. On-site renewable energy generation will be provided in the form of Air Source Heat Pumps to provide heating and hot water as well as solar PV panels generating electricity.
- 5.9.6 The energy efficiency measures reduce CO2 emissions by 12% which meets the London Plan minimum target of 10% and the overall CO2 reduction achieved is 76% which exceeds the minimum London Plan target of 35% and the GLAs higher benchmark target of 50% for major residential schemes. The implementation of the Energy Statement will be captured by condition. In order to achieve net zero carbon an offset payment will be secured by a legal agreement.
- 5.9.7 With regards to wider sustainability issues, the submitted Report contains a Sustainability Appraisal detailing how various elements of the buildings design will contribute to its performance in terms of sustainability. For example, the site will incorporate greening and biodiversity net gain measures, water efficient fixtures and fittings will be installed, sustainable building materials will be used where possible, waste management and recycling measures will be included, and the site will support active travel measures such as cycling by providing cycle storage facilities. Air Quality and Noise Assessments have also been carried out to check the scheme against requirements in these respects. The Sustainability Appraisal will be secured by a condition.
- 5.9.8 Subject to the conditions and payment in lieu recommended above, no objection would be raised under London Plan Policies SI 2 and SI 4 or Local Plan Policies CC1 and CC2 on energy and sustainability grounds.

## 5.10 AIR QUALITY

- 5.10.1 NPPF (2024) Paragraph 199 relates to air quality, and states planning decisions should ensure that any new development in Air Quality Management Areas (AQMA) is consistent with the local air quality action plan. The councils Air Quality Action Plan 2025-2030 was approved and adopted by the council on the 16th of December 2024.
- 5.10.2 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.
- 5.10.3 Local Plan Policies CC1 and CC10 seek to reduce levels of local air pollution and improve air quality in line with the national air quality objectives by reducing the potential adverse air quality impacts of new developments, requiring the submission of an air quality assessment and mitigation measures where appropriate. These are supported by Planning Guidance SPD Key Principles AQ1 to AQ5, and the council's Air Quality Action Plan.

- 5.10.4 The application is supported by an Air Quality Assessment. The whole borough is designated as an Air Quality Management Area (AQMA), and the development site is in an area of existing poor air quality primarily due to vehicle traffic emissions from the highly trafficked Shepherds Bush Road (A219) and Blythe road with existing off-site residential receptors within 10 metres of the development site boundaries. The development will introduce new residential receptors into an area of poor air quality. The construction and operational phases of the development also have the potential to contribute to a worsening of local air quality, unless appropriate steps are taken to prevent it. Accordingly, the Council's air quality officer has requested several conditions to capture further mitigation measures, including the submission of an Air Quality Dust Management Plan (AQDMP) and associated monitoring fee (captured by a legal agreement).
- 5.10.5 Subject to the conditions/obligations recommended above, no objection would be raised under London Plan Policy SI 1, and Local Plan Policies CC1 and CC10, and the council's Air Quality Action Plan on air quality grounds.

## 5.11 LAND CONTAMINATION

- 5.11.1 Local Plan Policy CC9 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. The Policy requires applicants to carry out site assessment and submit a report of findings on sites where contamination is known to be present, to establish the nature and extent of contamination.
- 5.11.2 Potentially contaminative land uses (past or present) have been identified at, and or, near to this site, and the proposal would introduce uses that are vulnerable to potential contamination. To ensure that no unacceptable risks are caused to humans, controlled waters, or the wider environment during and following the development works conditions will be attached covering the assessment and remediation of contaminated land.
- 5.11.3 Subject to the conditions recommended above, no objection would be raised under Local Plan Policy CC9 on land contamination grounds.

## 5.12 ECOLOGY AND BIODIVERSITY

- 5.12.1 London Plan Policy G5 states that major development proposals should 'contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage'. Boroughs should develop an Urban Greening Factor (UGF) to identify the appropriate amount of urban greening required in new developments, based on Urban Greening Factors set out in Table 8.2 of the London Plan. Where Local Plans do not have UGF scores, the London Plan UGF identifies scores of 0.4 for predominately residential developments and 0.3 for predominately commercial developments should be applied.

- 5.12.2 London Policy G7 states that existing trees of quality should be retained wherever possible or replaced where necessary. New trees are generally expected in new development, particularly large-canopied species.
- 5.12.3 Local Plan Policies OS1 and OS5 seek to enhance biodiversity and green infrastructure in LBHF by (inter alia) maximising the provision of gardens, garden space and soft landscaping, and seeking green and brown roofs and planting as part of new development; seeking retention of existing trees and provision of new trees on development sites; and adding to the greening of streets and the public realm.

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

- 5.12.4 London Plan Policy GG2 Making the best use of land (G) requires developments to aim to secure net biodiversity gains where possible. Likewise, Local Plan Policy G6 Access to nature (D) states that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain.
- 5.12.5 The statutory requirement for biodiversity net gain comes from Schedule 7A of the Town and Country Planning Act 1990, inserted by Schedule 14 of the Environment Act 2021 and enacted by The Environment Act 2021 (Commencement No. 8 and Transitional Provisions) Regulations 2024. Through this, unless exempt through the Biodiversity Gain Requirements (Exemptions) Regulations 2024, all developments are required to deliver a minimum 10 % net gain for biodiversity as a condition of planning approval.
- 5.12.6 In this case, the existing Site contains no vegetation, trees or landscaping. The accompanying Ecology Report prepared by Trium, suggests because the Proposed Development impacts upon less than 25 sqm of on-site habitat and less than 5 metres of on-site linear habitat it meets the de minimis exceptions criteria to be exempt from the Biodiversity Net Gain ('BNG') requirement as a condition of planning. The council's Ecology Team agree with this conclusion.
- 5.12.7 Nonetheless, UGF policies require meaningful urban greening to be included as a fundamental element of building and landscape design. In this respect the scheme includes a variety of landscaping, including tree planting, biodiverse green roofs as well as planted garden beds. Overall, the scheme will achieve an Urban Green Factor Score of 0.41 - in excess of the London Plan requirement of 0.4 for residential schemes. Final details of landscaping, including species (avoiding any invasive species) and maintenance details will be secured by a condition. As part of the condition, additional ecological initiatives will also be encouraged, such as bird boxes, native species planting and log piles.

+Ecology

- 5.12.8 A Preliminary Ecological Appraisal supports the application, which concludes the works are predicted to have a negligible impact on wildlife, with little concern that any protected species may be onsite. An informative will advise that in the event that any bat, bat roost or bird nest is suspected or discovered during works, then works must immediately cease and a licensed ecologist must be consulted.

5.12.9 Subject to the inclusion of conditions officers consider that the proposed development accords with Policies GG2, G5, G6 and G7 of the London Plan and Policies OS1 and OS5 of the Local Plan in terms of arboriculture, ecology and urban greening.

## 5.13 ECONOMIC DEVELOPMENT AND SKILLS TRAINING

5.13.1 Policy E11 of the London Plan 'Skills and opportunities for all' requires development proposals to support employment, skills development, apprenticeships, and other education and training opportunities in both the construction and end-use phases. Local Plan Policy E4 'Local Employment, Training, and Skills Development' echoes this requirement compelling provision for appropriate employment and training initiatives for local people of all abilities in the construction of major developments.

5.13.2 In accordance with the above policies, contributions would be required towards the provision of appropriate employment and training initiatives for local people of all abilities during the construction phase of the development (i.e. apprenticeships and paid and unpaid work placements) as well as contributions to support the procurement of local labour. The applicant has agreed to enter into a legal agreement to secure support for employment, training and local business.

## 6.0 PLANNING OBLIGATIONS / COMMUNITY INFRASTRUCTURE LEVY (CIL)

### + Mayoral and Local CIL

6.1 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. The GLA expect the Council, as the Collecting Authority, to secure the levy in accordance with London Plan Policy DF1. This development would be subject to a London wide community infrastructure levy. This development is liable for an estimated Mayoral CIL of £52,560.00 (excluding indexation).

6.2 The Council's Community Infrastructure Levy (CIL) is also a charge levied on the net increase in floorspace arising from development in order to fund infrastructure that is needed to support development in the area. The CIL Charging Schedule was presented to Council and approved 20 May and has formally taken effect since the 1st September 2015. This development is liable for an estimated local CIL of £65,700.00 (excluding indexation).

### + Legal Agreement

6.3 The NPPF provides guidance for local planning authorities in considering the use of planning obligations. It states that 'authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations and that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition'.

- 6.4 London Plan Policy DF1 (Delivery of the Plan and Planning Obligations) states that: "Development proposals should provide the infrastructure and meet the other relevant policy requirements necessary to ensure that they are sustainable and to support delivery of the Plan."
- 6.5 Local Plan Policy INFRA1 (Planning Contributions and Infrastructure Planning) advises that the council will seek planning contributions to ensure the necessary infrastructure to support the Local Plan is delivered using two main mechanisms 'Community Infrastructure Levy (CIL) and Section 106 Agreements (s106).
- 6.6 The planning obligations set out in the heads of terms below are considered necessary to make the development acceptable in planning terms, they are related to the development and fairly and reasonable in scale and kind to the development. A Section 106 agreement is therefore required to ensure the proposal is in accordance with the statutory development plan and to secure the necessary infrastructure to mitigate the needs of the Proposed Development.
- 6.7 In view of the fact the Section 106 agreement will be the subject of extended negotiations, officers consider that circumstances may arise which may result in the need to make minor modifications to the conditions and obligations (which may include the variation, addition, or deletion). Accordingly, the second recommendation has been drafted to authorise the Director of Planning and Property, after consultation with the Assistant Director Legal Services and the Chair of the Planning and Development Control Committee, to authorise the changes they consider necessary and appropriate, within the scope of such delegated authority.

#### + Heads of Terms

- 6.8 The Applicant is expected to agree to enter into a legal agreement with the Council to which would include the following site-specific items (i.e. items which are not on the CIL r123 list):

- 1) Affordable Housing - to secure the delivery of 50% affordable homes (9 units) comprising:
  - a. 67% Social Rent (6 units); and
  - b. 33% Living Rent (3 units)
  - c. Appropriate review mechanism
- 2) Public Realm Improvements - financial contribution of £189,295
- 3) Community Safety - financial contribution of £62,900
- 4) Employment and Skills/ Local Procurement comprising:
  - a) A financial contribution of £31,375 to support delivery of the Council's Industrial Strategy "Upstream London", including to support employment, skills and local procurement activities.
  - b) At least 10% of the total number of people employed during the development are local (H&F) residents, including:
    - a. 4 apprenticeships lasting at least 12 months
    - b. 2 paid work experience placements lasting at least 6 months

- c. 2 unpaid work experience placements for local (H&F) residents and students of local (H&F) schools lasting at least 4 weeks
  - c) Local (H&F) businesses are procured in the supply chain of the construction of the development to a value of at least 10% of the build cost
  - d) A commitment to sign up to the Council's Upstream Pathway Bond, a broad menu of opportunities to help businesses play a meaningful role in supporting the local community in which they operate - and to encouraging end-users of the development to do so.
  - e) None of these contributions are double counted with any social value contributions committed by a procured developer as part of the procurement process
  - f) The developer reports evidence to the Council of any of these outputs delivered on a quarterly basis.
- 5) Energy and Sustainability - Payment of the Carbon Offset Payment in Lieu to offset CO2 emissions (in accordance with the Council's Local Carbon Pricing Mechanism this would be £53,322) - subject to review dependent upon the provision of an updated energy statement upon practical completion.
  - 6) Air Quality - contribution of £5,000 per year for the demolition and construction phases until completion of the development towards monitoring of Air Quality Dust Management Plan (secured by condition).
  - 7) Demolition and Construction Logistics Plan - contribution of £3,000 per year for the demolition and construction phases until completion of the development towards monitoring of DLP/CLP (secured by condition).
  - 8) Car Permit Free - To prohibit any occupiers of the 18 residential units, other than Blue Badge Holders, from obtaining a parking permit, under Section 16 of the Greater London Council (General Powers) Act 1974.
  - 9) Residents Travel Plan - submission and implementation; and a contribution of £3,000 on first submission and then on the anniversary of submission at yr 1, 3 and 5 towards Travel Plan monitoring.
  - 10) Waste Management Plan (WMP) - contribution of £3,000 on first submission and then on the anniversary of submission at yr 1, 3 and 5 towards monitoring of the DSP and associated delivery/servicing activities at the site (secured by condition).
  - 11) S278 works include the following indicative works:
    - o Removal of existing crossover on Springvale Terrace and reinstatement of footway
    - o Improvements to existing crossover to be retained
    - o Repaving of footway along site frontage on Springvale Terrace
  - 13) Prior to Occupation, to have entered into a Section 278 agreement to deliver the agreed Highway Works necessitated by this Development, at the Developer's cost.
  - 14) Not to Occupy the Development until the agreed Highways Works, forming the S278 Agreement have been implemented and all Council costs have been met.
  - 15) A commitment to meet the costs of the Council's associated legal fees.

## 7.0 CONCLUSION

- 7.1 In considering planning applications, the Local Planning Authority needs to consider the development plan as a whole and planning applications that accord with the development plan should be approved without delay, unless material considerations indicate otherwise and any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 7.2 In the assessment of the application regard has been given to the NPPF, London Plan, Publication London Plan, and Local Plan policies as well as guidance.
- 7.3 In summary, the principle of development is acceptable. The permanent loss of employment floorspace on the site has been justified, and the proposed development would contribute towards the quantity of the borough's market and affordable housing stock. The proposal is acceptable in visual terms and is considered to be of a high quality of design and acceptable with regards to the impact upon heritage assets. Subject to conditions the proposal would not result in unacceptable impacts upon the amenities of neighbouring residential properties. The new dwellings meet the minimum standards and provide a good standard of accommodation for the new occupants. Highways, transportation and environmental matters including energy and sustainability, flood risk, air quality, land contamination, and ecology and biodiversity 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).
- 7.4 Officers have taken account of all the representations received and in overall conclusion for the reasons detailed in this report it is considered, having regard to the development plan as a whole and all other material considerations, that planning permission should be granted subject to the conditions listed, and the completion of a s106 agreement.
- 7.5 In line with the Town and Country Planning Act 1990 and the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, Officers have consulted the Applicant on the pre-commencement conditions included in the agenda and the Applicant has raised no objections.

## 8.0 RECOMMENDATION

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