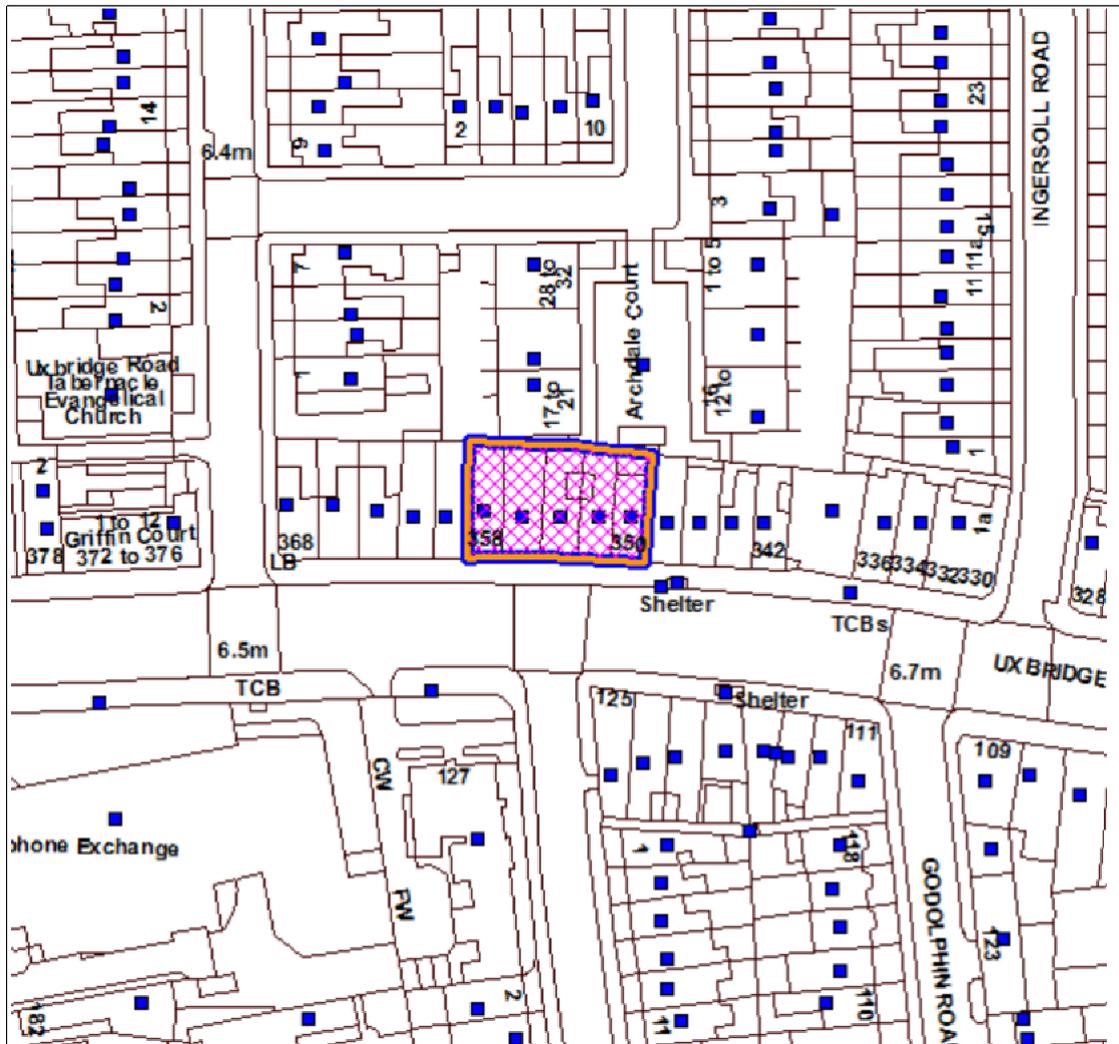


**Ward:** White City

**Site Address:**

350 - 358 Uxbridge Road London W12 7LL



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

**Reg. No:**  
2025/03221/FUL

**Case Officer:**  
Anisa Aboud

**Date Valid:**  
28.11.2025

**Conservation Area:**

**Committee Date:**  
10.03.2026

**Applicant:**

Mr Palminder Singh  
C/O Agent 52 Lyndon Road Sutton Coldfield B73 6BS  
United Kingdom

**Description:**

Erection of additional floors at roof level of 350-358 Uxbridge Road in connection with the creation of 4 x studio and 1 x 1 bedroom self-contained flats; erection of rear extensions at ground and first floor levels to create 339 sqm of commercial floorspace at ground floor level; formation of roof terraces at first floor level to the rear elevation.  
Drg Nos: See Condition 2.

**Application Type:**

Full Detailed Planning Application

**Officer Recommendation:**

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

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

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

P104 G, P301 O, P302 M, P303 H, P401 H, P402 G:

Flood Risk Assessment Ref. 79313.00.01R1 dated 2025-08-12 prepared by GeoSmart Information Ltd.

Outline Construction Logistics Plan ref. 12564A dated August 2025 prepared by GTA Civils and Transport Ltd.

Transport Statement dated October 2025 prepared by TTP Consultings Ltd.

Energy Strategy Report Ref: 22-10241 dated October 2025 prepared by Syntegra Ltd.

BREEAM New Construction Pre-Assessment Report Ref: 22-10241 dated October 2025 prepared by Syntegra Ltd.

Air Quality Assessment ref. J0998/1/F1 dated 04 September 2025 prepared by Air Quality Assessments Ltd.

Daylight and Sunlight Assessment Rev I, dated October 2025 prepared by EAL Consult.

Noise Impact Assessment Ref: 22-10241 dated October 2025 prepared by Syntegra Ltd.

Fire Safety Strategy rev 1 dated 29/08/2025 prepared by Fire Risk Assessments Limited.

Thermal Comfort Overheating Assessment Ref: 22-10241 dated October 2025 prepared by Syntegra Ltd.

Reason: To ensure full compliance with the planning permission hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with Policy DC1 and DC2 of the Local Plan (2018).

- 3) Prior to the commencement of the relevant part of the development (excluding demolition works), details of particulars and samples (where appropriate) of all the materials to be used in all external faces of the buildings; including details of the colour, composition and texture of the brick, concrete and metal work; details of all surface windows including window opening and glazing styles; balustrades or screening to balconies and roof terraces shall be submitted to and approved in writing by Local Planning Authority. The development shall be carried out in accordance with the details as approved and thereafter permanently retained in this form.

To ensure a satisfactory external appearance and preserve the character and appearance of the surrounding conservation areas and other heritage assets; and to protect the amenities of neighbouring occupiers in terms of overlooking and privacy, in accordance with Policies DC1, DC2, DC3, DC8 and HO11 of the Local Plan (2018) and guidance contained within the Planning Guidance Supplementary Planning Document (2018).

- 4) Prior to commencement of the development hereby permitted (excluding Ground and Enabling Works), details in plan, section and elevation (at a scale of not less

than 1:20) of the following matters have been submitted to and approved in writing by the Council. The development shall be carried out in accordance with the approved details; and permanently retained as such.

- a) external facing materials, roof coverings (including paving to terraces and green roofs;
- b) new and replacement window details;
- c) balustrades, external staircases and railings;

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

- 5) Notwithstanding the approved elevation drawings, the existing butterfly parapets, façade and window openings above first floor level shall be retained as existing, save for minor and essential adjustments to levels of existing window cills as may be submitted to and approved in writing by the Local Planning Authority.

To avoid unapproved demolition works and to ensure the retention of the character and appearance of the existing visually consistent butterfly parapets and rhythm of window openings within the larger group of buildings of which the application site forms a part, in accordance with Local Plan Policies DC1 and DC4.

- 6) Prior to occupation of the residential units hereby approved full details of the refuse and recycling bin storage shall be submitted to the council and approved in writing and shall thereafter be permanently retained.

Reason: To ensure adequate refuse and recycling facilities and to ensure that the use does not give rise to smell nuisance and to prevent harm to the character and appearance of the Conservation Area arising from the appearance of accumulated rubbish, in accordance with Policies DC8, CC6 and CC7 of the Local Plan 2018.

- 7) Aside from the area labelled 'Terrace' on drawing no. P301 O, no part of any roofs of the buildings shall be used as roof terraces or other form of open amenity space.

No alterations shall be carried out; nor planters or other chattels placed on the roofs. No railings or other means of enclosure shall be erected on the roofs, and no alterations shall be carried out to any elevation of the application property to form access onto the roofs.

Reason: The use of the roofs as a terrace would increase the likelihood of harm to

the existing residential amenities of the occupiers of neighbouring properties as a result of noise and disturbance, contrary to Policies CC11 and CC13 of the Local Plan (2018).

- 8) No part of the development shall be used or occupied until all flood prevention and mitigation measures have been installed in accordance with the Flood Risk Assessment Ref. 79313.00.01R1 dated 2025-08-12 prepared by GeoSmart Information Ltd, and the development shall be permanently retained in this form and maintained as necessary thereafter. Notwithstanding the contents of approved FRA, the flood prevention and mitigation measures for this development shall include green and brown roofs, permeable paving and soft landscaping along with control discharge of stormwater, as indicated on the approved plans.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site, and to reduce the impact of flooding to the proposed development and future occupants, in accordance with Policy CC2 and CC3 of the Local Plan (2018).

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

Reason: To ensure air quality is not compromised during the demolition phase, in line with Local Plan Policies CC10 and CC13 (2018) and ensure a satisfactory external appearance of the development, in accordance with Policies DC1, DC4, DC6 and DC8 of the Local Plan (2018).

- 10) Prior to the commencement of the construction phase (excluding installation of temporary fencing around the perimeter of the site) of the development hereby permitted, details of Air Quality Emissions Control including Nitrogen Oxides (NOx), Particulates (PM10, PM2.5) emission control of Non-Road Mobile Machinery (NRMM), On Road Vehicles and fugitive dust emissions in order to mitigate air pollution shall be submitted to and approved in writing by the council.

The submitted details shall include:

- a) Details of the Non-Road Mobile Machinery (NRMM) used on the site with CESAR Emissions Compliance Verification (ECV) identification that shall comply with the minimum Stage V NO<sub>x</sub> and PM<sub>10</sub> emission criteria of The Non-Road Mobile Machinery (Type-Approval and Emission of Gaseous and Particulate Pollutants) Regulations 2018 and its subsequent amendments. This will apply to both variable and constant speed engines for both NO<sub>x</sub> and PM. An inventory of all NRMM shall be submitted to the council prior to commencement of construction works and thereafter retained and maintained until completion of the development.
- b) Details of the use of on-road London Ultra Low Emission Zone (ULEZ) compliant vehicles from on-site contractors and suppliers of services and materials to the site e.g. minimum Petrol/Diesel Euro 6 and Euro VI
- c) Details of installation including photographic confirmation of the temporary solid timber hoarded fencing (minimum height 2.5 metres) around the perimeter of the site in accordance with BS 5975-2:2024 around the perimeter of the site on all site boundaries

Developers must ensure that on-site contractors follow best practicable means to minimise dust, particulates (PM<sub>10</sub>, PM<sub>2.5</sub>) and NO<sub>x</sub> emissions at all times in compliance with the Mayor of London 'The Control of Dust and Emissions during Construction and Demolition', SPG, July 2014. Approved details shall be fully implemented and permanently retained and maintained during the construction phases of the development.

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

- 11) 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 15 self-contained dwellinghouses (Class C3) on all three residential floors shall be submitted to and approved in writing by the Local Planning Authority. This is applicable to all residential floors where Council 2030 World Health Organisation aligned Annual Mean Air Quality Targets for Nitrogen Dioxide (NO<sub>2</sub>) - 10ug/m-3, Particulate (PM<sub>10</sub>) -15 ug/m-3 and Particulate (PM<sub>2.5</sub>) - 5 ug/m-3 are exceeded and where current and future predicted pollutant concentrations are within 5% of these limits. The report shall include the following information:

- a) Details and locations of the ventilation intake locations at rear roof level or on the rear elevations of all residential floors.
- b) Details and locations of ventilation extracts, to demonstrate that they are located a minimum of 2 metres away from the air ventilation intakes on all residential floors, to minimise the potential for the recirculation of extract air through the supply air ventilation intake.

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.

Reason: In the interest of air quality improvement and to comply with the requirements of the NPPF, Policy SI 1 of the London Plan and Policy CC10 of the Local Plan (2018).

- 12) Prior to occupation of the development hereby permitted, details of a post installation compliance report including photographic confirmation of the mitigation measures as included in the approved ventilation strategy as required by condition 11 to mitigate the impact of existing poor air quality shall be submitted to and approved in writing by the Local Planning Authority. The report shall be produced by an accredited Chartered Building Surveyor (MRICS). Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

Reason: In the interest of air quality improvement and to comply with the requirements of the NPPF, Policy SI 1 of the London Plan and Policy CC10 of the Local Plan (2018).

- 13) 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 15 self-contained dwellinghouses (Class C3) shall be submitted to and approved in writing by the Local Planning Authority. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

Reason: In the interest of air quality improvement and to comply with the requirements of the NPPF, Policy SI 1 of the London Plan and Policy CC10 of the Local Plan (2018).

- 14) 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 Pump (ASHP), Heat Battery Boiler, Electric Boilers or alternative electrical only heating systems to be provided for space heating, hot water and cooling for the 15 self-contained dwellinghouses (Use Class C3) and ground floor commercial use (Class E) shall be submitted to and approved in writing by the Local Planning Authority. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

Reason: In order to reduce carbon-based gas connections and to ensure adequate levels of indoor air quality in the councils boroughwide air quality management area, in accordance with Local Plan Policy CC10 and the councils Air Quality Action Plan.

- 15) 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 (WWHERS) in all the bathrooms of the 15 self-contained dwellinghouses (Class C3) shall be submitted to and approved in writing by the Local Planning Authority. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

Reason: In the interest of air quality improvement and to comply with the requirements of the NPPF, Policy SI 1 of the London Plan and Policy CC10 of the Local Plan (2018).

- 16) Prior to occupation of the development hereby permitted, an Ultra Low Emission Strategy (ULES) shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:
  - a) Procurement policy and processes for contractors and suppliers of the non-residential uses that will incentivise and prioritise the use of Zero Exhaust Emission Vehicles in accordance with the emission hierarchy of 1) Walking Freight Trolley 2) Cargo bike (3) Electric Vehicle.
  - b) Use of Zero Exhaust Emission Vehicles for all non-residential uses in accordance with the emissions hierarchy (1) Walking Freight Trolleys (2) Cargo bike (3) Electric Vehicle.

- c) Reduction and consolidation of deliveries and collections for all non-residential uses e.g., Waste
- d) Re-timing of deliveries and collections for all non-residential uses outside of peak traffic time periods of 07:00-09:30 and 16:00-19:00 hrs
- e) Facilities and measures for self-contained dwellinghouses (Class C3) that will minimise the impact of vehicle emissions from increasing personal deliveries e.g., parcel lockers, concierge, Cargo bicycle bays,

The ULES shall be monitored and reviewed on an annual basis and any subsequent modifications or alterations to the ULES should be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to occupation and the ULES hereby permitted shall thereafter operate in accordance with the approved details.

Reason: In the interest of air quality improvement and to comply with the requirements of the NPPF, Policy SI 1 of the London Plan and Policy CC10 of the Local Plan (2018).

- 17) At the ground floor commercial use (Class E and Sui Generis) of the development hereby permitted no deliveries nor collections/ loading nor unloading for servicing and maintenance of the development shall occur other than between the hours of 8:00 - 16:00 and 19:00-21:00 on Monday to Friday, 10:00 to 18:00 on Saturdays and at no time on Sundays and Public/Bank Holidays.

Reason: In the interest of air quality improvement and to comply with the requirements of the NPPF, Policy SI 1 of the London Plan and Policy CC10 of the Local Plan (2018).

- 18) The noise level in rooms at the development hereby approved shall meet the noise standard specified in BS8233:2014 for internal rooms and external amenity areas.

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

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

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

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

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

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

Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

- 22) Prior to the installation of any machinery, plant/ equipment, extract/ ventilation system, details of anti-vibration measures shall be submitted to and approved in writing by the Council. The measures shall ensure that machinery, plant/ equipment, extract/ ventilation system and ducting are mounted with proprietary

anti-vibration isolators and fan motors are vibration isolated from the casing and adequately silenced. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

23) Prior to commencement (excluding site clearance and demolition) of the development hereby approved the following shall be submitted to, and approved in writing by, the Council:

(i) A Construction and Demolition Management Plan:

Details shall include monitoring and control measures for noise, vibration, lighting, delivery locations, contractors' method statements, waste classification and disposal procedures and locations, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800-1300hrs on Saturdays and not on Sundays or Bank Holidays, advance notification to neighbours and other interested parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works. The approved details shall be implemented throughout the project period.

(ii) A Construction and Demolition Logistics Plan:

This shall be in accordance with Transport for London (TfL) requirements and must seek to minimise the impact of construction and demolition traffic on nearby roads and restrict construction and demolition trips to off peak hours only. The details shall also include the numbers, size and routes of construction vehicles, provisions to ensure that all vehicles associated with the construction/demolition works are properly washed and cleaned to prevent the passage of mud and dirt onto the highway, and other matters relating to traffic management to be agreed. The approved details shall be implemented throughout the project period.

Reason: To ensure that construction works do not adversely impact on the operation of the public highway, and that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, lighting or other emissions from the building site, in accordance with policies T1, T6, T7, CC10, CC11, CC12 and CC13 of the Local Plan (2018).

24) No development shall commence until a preliminary risk assessment report is submitted to and approved in writing by the Council. This report shall comprise: a desktop study which identifies all current and previous uses at the site and surrounding area as well as the potential contaminants associated with those uses; a site reconnaissance; and a conceptual model indicating potential pollutant

linkages between sources, pathways and receptors, including those in the surrounding area and those planned at the site; and a qualitative risk assessment of any potentially unacceptable risks arising from the identified pollutant linkages to human health, controlled waters and the wider environment including ecological receptors and building materials. All works must be carried out in compliance with and by a competent person who conforms to LCRM: Land Contamination Risk Management (Environment Agency 2023) or the current UK requirements for sampling and testing.

Reason: Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policy CC9 of the Local Plan (2018).

- 25) No development shall commence until a site investigation scheme is submitted to and approved in writing by the Council. This scheme shall be based upon and target the risks identified in the approved preliminary risk assessment and shall provide provisions for, where relevant, the sampling of soil, soil vapour, ground gas, surface and groundwater. All works must be carried out in compliance with and by a competent person who conforms to LCRM: Land Contamination Risk Management (Environment Agency 2023) or the current UK requirements for sampling and testing.

Reason: Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policy CC9 of the Local Plan (2018).

- 26) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until, following a site investigation undertaken in compliance with the approved site investigation scheme, a quantitative risk assessment report is submitted to and approved in writing by the Council. This report shall: assess the degree and nature of any contamination identified on the site through the site investigation; include a revised conceptual site model from the preliminary risk assessment based on the information gathered through the site investigation to confirm the existence of any remaining pollutant linkages and determine the risks posed by any contamination to human health, controlled waters and the wider environment. All works must be carried out in compliance with and by a competent person who conforms to LCRM: Land Contamination Risk Management (Environment Agency 2023) or the current UK requirements for sampling and testing.

Reason: Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policy CC9 of the Local Plan (2018).

- 27) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until, a remediation method statement is submitted to and approved in writing by the Council. This statement shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved quantitative risk assessment. All works must be carried out in compliance with and by a competent person who conforms to LCRM: Land Contamination Risk Management (Environment Agency 2023) or the current UK requirements for sampling and testing.

Reason: Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policy CC9 of the Local Plan (2018).

- 28) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until the approved remediation method statement has been carried out in full and a verification report confirming these works has been submitted to, and approved in writing, by the Council. This report shall include details of the remediation works carried out; results of any verification sampling, testing or monitoring including the analysis of any imported soil; all waste management documentation showing the classification of waste, its treatment, movement and disposal; and the validation of gas membrane placement. If, during development, contamination not previously identified is found to be present at the site, the Council is to be informed immediately and no further development (unless otherwise agreed in writing by the Council) shall be carried out until a report indicating the nature of the contamination and how it is to be dealt with is submitted to, and agreed in writing by, the Council. Any required remediation shall be detailed in an amendment to the remediation statement and verification of these works included in the verification report. All works must be carried out in compliance with and by a competent person who conforms to LCRM: Land Contamination Risk Management (Environment Agency 2023) or the current UK requirements for sampling and testing.

Reason: Potentially contaminative land uses (past or present) are understood to

occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policy CC9 of the Local Plan (2018).

- 29) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until an onward long-term monitoring methodology report is submitted to and approved in writing by the Council where further monitoring is required past the completion of development works to verify the success of the remediation undertaken. A verification report of these monitoring works shall then be submitted to and approved in writing by the Council when it may be demonstrated that no residual adverse risks exist. All works must be carried out in compliance with and by a competent person who conforms to LCRM: Land Contamination Risk Management (Environment Agency 2023) or the current UK requirements for sampling and testing.

Reason: Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policy CC9 of the Local Plan (2018).

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

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

- 31) The development shall be carried out in accordance with the provisions of the Fire Safety Strategy rev 1 dated 29/08/2025 prepared by Fire Risk Assessments Limited, unless otherwise approved in writing by the Local Planning Authority.

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

- 32) Prior to first occupation of the development, a Delivery and Servicing Plan (DSP)

shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the management and times of deliveries to avoid peak times, emergency access, collection of waste and recyclables, times and frequencies of deliveries and collections, quiet loading/unloading measures, and vehicle movements. The development shall take place in accordance with the approved details for the lifetime of the development.

Reason: To ensure that satisfactory provision is made for delivery, servicing and refuse storage and collection and to ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by noise, in accordance with Policies T2 and T7 of the London Plan (2021) and Policies T2, CC11 and CC13 of the Local Plan (2018) and SPD Key Principle TR28 2018.

- 33) The existing shutters to the ground floor commercial units at 350-358 Uxbridge Road shall be removed within 6 months of the date of this permission. No other external security shutters or roller blinds shall be installed externally to these commercial frontages.

To ensure a satisfactory external appearance in accordance with Policies DC1, DC5 and DC8 of the Local Plan (2018).

- 34) No external air-conditioning units, ventilation fans, extraction equipment, flues or other plant equipment and associated external pipework or ducting shall be fitted to the exterior of any new shopfronts unless otherwise shown on the approved drawing.

To ensure a satisfactory external appearance and to prevent harm to the amenities of the occupiers of neighbouring residential properties, in accordance with Policies DC1, DC5 DC8 and HO11 of the Local Plan (2018).

- 35) The window glass of the shopfronts shall not be mirrored, painted or otherwise obscured.

To ensure a satisfactory external appearance and to prevent harm to the street scene and conservation area, and to provide an active shopfront, in accordance with DC1, DC5 and DC8 of the Local Plan (2018).

- 36) No advertisements shall be displayed on or within the shopfront hereby approved, without details of the advertisements having been submitted to and approved in writing by the Local Planning Authority.

In order to ensure a satisfactory external appearance and to preserve the integrity

of the design of the building and the wider area in accordance with policies DC1, DC8 and DC9 of the Local Plan (2018).

- 37) No sub-divisions of the commercial ground floor units shall be carried out without prior consent from the Local Planning Authority.

In order to ensure a satisfactory external appearance and to preserve the integrity of the design of the building and the wider area in accordance with policies DC1, DC5, DC8 and DC9 of the Local Plan (2018).

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

- 1) The proposal would achieve a sustainable form of development in accordance with the Council's aspirations for the area and the principle of redevelopment will make effective use of previously under-utilised land by optimising residential use on this brownfield site. The proposed additional residential units would meet local housing demand on a site suitable for residential infill development that would be compatible with the land uses in the surrounding area, which is characterised primarily by residential uses in flats above ground floor commercial uses. The retention of ground floor commercial uses together with the optimisation and net gain in housing supply is in accordance with Policy D3, GG2 and GG4 of the London Plan (2021) and Policies HO1, HO3, HO4 and HO5 of the Local Plan (2018).
  
- 2) The proposed development would provide 5no. new self-contained flats and improve the quality of the existing 5no. self-contained flats; including the creation of 5 new private external amenity terraces. The proposed units would provide dwellings with acceptable living conditions, good standards of accommodation and good amenities to future occupiers in accordance with London Plan (2021) Policy D6, the Mayor's Housing 'Design Standards' LPG (2023), the DCLG's Nationally Described Space Standards (2015), Local Plan (2018) Policies HO4, and HO11 and relevant Housing Key Principles of the 'Planning Guidance' SPD (2018) which all require new housing to be of a high quality design and be designed to have adequate internal and external space.

- 3) The proposed development is considered to be of a high-quality of design which optimises the capacity of previously underutilised land. It is considered that the proposed development would be compatible with the character and appearance of the surrounding area in terms of its height, mass, form, detailed design and materiality. The proposed scheme therefore accords with the NPPF (2024), London Plan (2021) Policies D3 and HC1 and Local Plan (2018) Policies DC1, DC2 and DC8.
- 4) The proposed development would respect the principles of good neighbourliness and maintain an acceptable relationship with the neighbouring residential properties. Subject to conditions, the proposed scheme would not have an unacceptably harmful impact on neighbouring residential amenity in terms of daylight/sunlight, outlook, privacy and noise and disturbance. In this regard, the proposals comply with Policies DC1, DC2, HO11, CC11, CC12 and CC13, and relevant housing and amenity Key Principles of the 'Planning Guidance' SPD (2018).
- 5) It is considered that the scheme would not have a significant undue impact on the highway network, road safety and conditions or local on-street car parking demands; the proposal is deemed to be acceptable in transport terms. Satisfactory provision would be made for cycle parking. Adequate provision for the storage and collection of refuse and recyclables would be provided. The proposed development therefore accords with the NPPF (2024), London Plan (2021) Policies T1-T7, Local Plan (2018) Policies T1, T2, T3, T4, T7 and CC7, and relevant transport and waste management Key Principles of the 'Planning Guidance' SPD (2018).
- 6) The impact of the development with regards to land contamination, flood risk, energy, sustainability and air quality are considered to be acceptable subject to conditions to secure further details of mitigations and appropriate measures, in accordance with London Plan (2021) Policies SI 12 and SI 13 Local Plan (2018) Policies CC1, CC2, CC3, CC4, CC9 and CC10, and relevant Key Principles of the 'Planning Guidance' SPD (2018).
- 7) Planning obligations to offset the impacts of the development and make it acceptable in planning terms are secured. This includes car permit free restrictions and the submission of Construction and Demolition Management Plans plus

monitoring fee. The proposed development would therefore mitigate external impacts and cater to the needs of the community affected by the proposed development. This would accord with London Plan (2021) Policy DF1 and Local Plan (2018) Policy INFRA1.

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

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

Application form received: 18th November 2025

Drawing Nos: see above

**Policy documents:** National Planning Policy Framework (NPPF) 2024

The London Plan 2021

LBHF - Local Plan 2018

LBHF – Planning Guidance Supplementary Planning Document  
2018

**Consultation Comments:**

**Comments from:**

**Dated:**

**Neighbour Comments:**

**Letters from:**

**Dated:**

Flat 1 1 Oaklands Grove London W12 0JD	28.12.25
85 Stanlake Road London W12 7HQ	28.12.25
237 Uxbridge road London W12 9DL	28.12.25
101 Thorpebank Rd London W12 0PG	28.12.25
7 Frithville Gardens London W12 7jg	28.12.25
108 Devonport Road London W12 8NU	24.12.25
1B thorpebank road London W12 0pg	24.12.25
85 Stanlake Road London W12 7HQ	28.12.25

## **1.0 SITE AND SURROUNDINGS**

- 1.1 The application site comprises a three-storey mid-Victorian terrace at 350-358 Uxbridge Road with commercial uses at ground floor and residential above. The site currently contains 10 residential units and is within a mixed commercial/residential parade on the northern side of Uxbridge Road.
- 1.2 The site is not a statutory Listed Building, is not locally listed, and is not within a Conservation Area. The site lies in Flood Zone 1 (lowest risk).
- 1.3 The site is located close to bus services and Shepherd's Bush Market Station; pedestrian access is from Uxbridge Road and to the rear.

## **2.0. RELEVANT PLANNING HISTORY**

- o 2022/03424/FUL - Erection of additional floors at roof level of 342-358 Uxbridge Road in connection with the creation of 4 x studio, 3 x 1 bedroom and 1 x 2 bedroom self-contained flats including the formation of roof terraces at third floor level; erection of rear extensions at ground and first floor levels to create 310 sqm of commercial floorspace at ground floor level, and increasing the size of the existing 18 residential units at first floor levels; formation of roof terraces and external staircases at first floor level; installation of a new shopfront to no. 342 Uxbridge Road (Amended description). (Undetermined). Discussions stalled as part of the site was no longer in the Applicant's ownership.
  - o 2010/00696/FUL - Erection of an additional floor at roof level of 342, 344, 346, 348, 350, 352, 354, 356 and 358 Uxbridge Road, in connection with the formation of nine x 1 bedroom self contained flats. This consent was approved in May 2012 but has not been implemented.
- 2.1 Enforcement History: A Section 215 Notice was served on 11/09/2025 relating to Land at 350 – 356 Uxbridge Road, London, W12 7LL in relation to Enforcement Reference Nos. (2025/00762/UNTIDY; 2025/00561/SATDSH; 2025/00560/SATDSH; 2025/00559/SATDSH,2025/00562/ADVERT). The reasons for issuing the notice were: The condition of the front elevation of the building is considered unsightly and harmful to the visual amenity of the surrounding area. The cumulative impact of disrepair, neglect, and poor maintenance across multiple elements of the façade—including architectural stonework, signage, shutters, and rooftop features—has resulted in a frontage that fails to positively contribute to the

character and appearance of the street scene. The notice requires a number of alterations to the façade of the buildings in order to improve the visual appearance. During the case officers site visit it was noted that scaffolding has been erected. The white stonework has been restored, and satellite dishes have been removed. However, due to the scaffolding currently in place, views of the elevation are restricted.

### **3.0. CURRENT APPLICATION**

3.1 The proposal seeks planning consent for the 'Erection of additional floors at roof level of 350-358 Uxbridge Road in connection with the creation of 4 x studio and 1 x 1 bedroom self-contained flats; erection of rear extensions at ground and first floor levels to create 339 sqm of commercial floorspace at ground floor level; formation of roof terraces at first floor level to the rear elevation'.

### **4.0 REPRESENTATIONS RECEIVED**

#### **Neighbouring responses**

4.1 Notification letters were sent to 139 neighbouring properties. A site notice and a press notice were also displayed/published.

4.2 In response, 9 letters in support of the application have been received. Points of support relate to: optimizing site capacity, addition of 5 new flats supported, addition of 339sqm commercial floorspace supported, high-quality design, positive action to improve the building.

4.3 Officer response:

- Material planning considerations raised will be discussed later in this report.

### **5.0 External Consultee Responses**

5.1 None received.

### **6.0 PLANNING POLICY CONTEXT**

6.1 The Town and Country Planning Act 1990, the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011 are the principal statutory legislation for Town Planning in England.

- 6.2 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).
- 6.3 In this instance, the statutory development plan comprises the London Plan (2021), the Local Plan (2018) and the 'Planning Guidance' (2018) and the 'Climate Change' (2023) Supplementary Planning Documents (hereafter referred to as 'Planning Guidance' and Climate Change' SPDs). Other strategic and local supplementary planning guidance and other documents from the Council and the Greater London Authority/Mayor of London are also material to the determination of the application.

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

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

### **The London Plan (2021)**

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

### **The Local Plan (2018)**

- 6.7 The Council Local Plan was adopted on 28 February 2018. The policies in the Local Plan together with the London Plan make up the statutory development plan for the borough. The 'Planning Guidance' (February 2018) and 'Climate Change'

(October 2023) Supplementary Planning Documents (SPDs) are also material considerations. These provide supplementary detail to the policies and are organised around key principles.

- 6.8 With regard to this application, all planning policies in the National Planning Policy Framework (NPPF, 2024), London Plan (2021), Local Plan (2018), and Supplementary Planning Guidance (SPG) / Supplementary Planning Documents (SPDs) have been referenced where relevant.

## **7.0 ASSESSMENT**

- 7.1 The proposal is considered to raise the following material planning considerations:
- Land Use (including the impact upon housing supply and non-residential floorspace);
  - The quality of the proposed residential accommodation;
  - Design and Heritage;
  - The impact of the proposal on neighbouring amenity;
  - The impact of the proposal on the highway network;
  - Refuse and recycling storage;
  - Flood risk;
  - Land contamination;
  - Fire Strategy/Safety.

### **LAND USE (INCLUDING THE IMPACT UPON HOUSING SUPPLY AND NON-RESIDENTIAL FLOORSPACE)**

#### **7.2 a. Industrial / Employment Land Use -**

- 7.3 The overriding emphasis in both national and local policy is to enable increased provision for new housing, albeit not at the expense of existing economic activity.
- 7.4 Local Plan Policy E2 asserts that the Council will require the retention of land and premises capable of providing continued accommodation for employment or local services. Permission will only be granted for a change where continued use would adversely impact on residential areas; or an alternative use would give a demonstrably greater benefit that could not be provided on another site; or it can be evidenced that the property is no longer required for employment purposes.
- 7.5 The site is located within close proximity to Shepherd Bush Town Centre and White City Regeneration Area (WCRA). The Local Plan (2018) recognises Shepherd's Bush Town Centre lies to the south of the WCRA and is an important retail, entertainment and cultural centre which includes Westfield London, the W12 Centre and Shepherd's Bush Market. The town centre is designated a

Metropolitan Centre in the London Plan. The facilities and services in the Fulham Town Centre provides the opportunity for the delivery of a substantial number of new homes and jobs.

- 7.6 The proposal involves the retention and extension of the existing ground floor commercial premises. The proposal includes single storey rear extensions measuring 7.2m in depth which will serve as an extension to the existing shops at ground floor. This would allow the existing retail tenants to enhance their operations in this Town Centre location.
- 7.7 Overall, the proposals accord with Local Plan Policy E2.

#### **b. Residential Use -**

- 7.8 The provision of housing is a significant issue, with paragraph 60 of the National Planning Policy Framework (NPPF, 2024) outlining that local planning authorities should seek to significantly boost the supply of housing. This need for housing is recognised within Policy H1 of the London Plan (2021), with Table 4.1 of this Policy outlining that a minimum of 1,609 new residential dwellings should be provided per year within the Borough of Hammersmith and Fulham up to 2031. Policy HO1 of the Local Plan (2018) specifies that the Borough of Hammersmith and Fulham will continue to seek at least 1,031 additional dwellings a year in the period up to 2035.
- 7.9 The proposal would result in the net-gain of 5 self-contained residential units. The Officers consider that this would be consistent with the aims of the NPPF (2024), Policy H1, Table 4.1 of the London Plan (2021) and Policy HO1 of the Local Plan (2018).
- 7.10 Policy H2 (Small sites) of the London Plan sets out that Boroughs should pro-actively support well-designed new homes on small sites (below 2500sqm/0.25ha in size) through both planning decisions and plan-making.
- 7.11 The proposal would provide 5 additional residential units and enhance the quality of space of the existing 5 residential units at first floor. First-floor rear extensions are proposed to enhance the living space for the 5no. of existing residential units, extending 3m in depth. Each existing unit at first floor will also benefit from a private rear terrace situated above the single-storey ground floor extensions. Overall, Officers consider this would make efficient use of this small site. The proposals therefore accords with Policy H2.

#### **THE QUALITY OF THE PROPOSED RESIDENTIAL ACCOMMODATION**

7.12 Policy HO4 of the Local Plan (2018) specifies that all new housing should ensure a high-quality residential environment and must be designed in accordance with London Plan internal space policies, unless it can be demonstrated that there is justification to deviate from these standards. Officers note that since the adoption of the Council's Local Plan (2018), the 2021 London Plan has been adopted. The London Plan (2021) is therefore the internal space policies which must be met.

### **Unit size and individual room size**

7.13 Accordingly, Policy D6 of the London Plan (2021), the Nationally Described Space Standards (NDSS, 2015) and Key Principle HS2 of the Planning Guidance Supplementary Planning Document (SPD, 2018) are relevant considerations.

7.14 The submitted drawings indicate that the 5 new self-contained units would all meet or exceed the gross internal area (GIA) requirement for the relevant unit, as specified by Policy D6, Table 3.1 of the London Plan (2021). The GIA of the proposed residential units are:

Unit 1 - (Studio - third floor): 41sqm (37 sqm minimum requirement).

Unit 2 - (1b, 2p - third floor): 50sqm (50 sqm minimum requirement).

Unit 3 - (Studio - third floor): 41sqm (37 sqm minimum requirement).

Unit 4 - (Studio - third floor): 41sqm (37 sqm minimum requirement).

Unit 5 - (Studio - third floor): 41sqm (37 sqm minimum requirement).

7.15 With regard to individual room sizes, Policy D6 of the London Plan (2021) specifies the following requirements:

-A dwelling with two or more bedspaces has at least one double (or twin) bedroom;

-In order to provide two bedspaces, a double (or twin bedroom) has a floor area of at least 11.5sqm;

-One double (or twin bedroom) is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide;

-In order to provide one bedspace, a single bedroom has a floor area of at least 7.5sqm and is at least 2.15m;

-A 1-bed, 1-person dwelling should be provided with 1sqm of built-in storage space.

7.16 With regards to the enhancement of the 5no. of existing residential units at first floor level. These would all be enhanced from studios to 1b2p units:

Unit 1 - (Existing: Studio 37sqm) - First floor): 1b2p 50sqm (50 sqm minimum requirement).

Unit 2 - (Existing: Studio 44sqm) - First floor): 1b2p 59sqm (50 sqm minimum requirement).

Unit 3 - (Existing: Studio 40sqm) - First floor): 1b2p 53sqm (50 sqm minimum

- requirement).
- Unit 4 - (Existing: Studio 37sqm) - First floor): 1b2p 51sqm (50 sqm minimum requirement).
- Unit 5 - (Existing: Studio 37.5sqm) - First floor): 1b2p 51sqm (50 sqm minimum requirement).

7.17 The proposed scheme would meet the minimum requirements of the internal space standards.

### **Ceiling height**

7.18 Policy D6 of the London Plan (2021) outlines that a minimum finished floor to ceiling height of 2.5m for at least 75% of the GIA is required.

7.19 Annotations specified on the proposed section A-A (drawing P402 F) indicate the ceiling height at third floor is between approx. 2.3 and 2.4m in the proposed residential units. Which would be short 0.1-0.2m of the threshold. Officers acknowledge although some of the proposed units would be located in newly constructed buildings or extensions to existing buildings, it is considered that reduced ceiling heights in these units would be acceptable as these units have been designed to minimise the proposal's impacts on neighbouring residential amenity and to reduce the level of harm caused to the character and appearance of the terrace. On this basis, officers raise no issues with the quality of residential accommodation with specific regards to ceiling height.

### **Noise**

7.20 Policies CC11 and CC13 of the Local Plan (2018) outline that all proposed development will be required to demonstrate that there will be no undue detriment to the general amenities enjoyed by existing surrounding occupiers as a result of nuisances (including noise).

7.21 Paragraph 10.8 of the Planning Guidance SPD (2018) specifies that poor design and layout of rooms often lead to neighbour noise complaints, and accordingly Key Principle NN3 of the Planning Guidance SPD (2018) expects all parts of adjoining dwellings to enhance the sound insulation, including where the adjoining room is of a similar use. Where a residential dwelling adjoins a commercial premise, substantially enhanced sound insulation will be expected.

7.22 Furthermore, whilst the proposal would involve a uniform 'stacking' arrangement in the sense that the open plan living/dining/sleeping areas of the proposed

residential units are directly above/below each other, this stacking arrangement could lead to harmful levels of noise transmission if one occupant was sleeping whilst an adjoining occupant was making use of the open plan space as a living/dining room.

7.23 A noise impact assessment by Syntegra RBA Acoustics dated September 2025 has been submitted with the application. The council's Environment Protection team were consulted on this planning application. Their comments raised no objection, subject to conditions relating to the submission of 1) absolute internal and external noise criteria for noise sensitive premises. 2) details of enhanced sound insulation of at least 5db above Building Regulation values for the floor/ceiling/wall structures between the proposed residential units. 3) Details of the layout and internal arrangement of rooms within dwellings to be submitted. 4) details of enhanced sound insulation of at least 10db above Building Regulation values for the floor/ceiling/wall structures between the proposed residential units. 5) external sound level emitted from plant/ machinery/ equipment and mitigation measures as appropriate. 6) Details of anti- vibration mounts and silencing of machinery etc.

7.24 Officer's therefore consider that the proposal would not expose future occupants of the proposed dwelling to harmful levels of noise, subject to the imposition of the recommended conditions. The proposal is considered to be consistent with Policies CC11 and CC13 of the Local Plan (2018) and Key Principle NN3 of the Planning Guidance SPD (2018).

### **Outlook and light**

7.25 The provision of outlook and light for future occupants are key considerations when assessing the quality of proposed residential accommodation for future occupants. The submitted drawings demonstrate that the open plan living/dining/sleeping area of the 5 proposed residential flats would be served by a minimum of two windows/doors. This, together with the upper-level siting of the proposed residential units, would be considered sufficient to provide adequate levels of outlook and light to occupants of these rooms, in accordance with Policies HO4 and HO11 of the Local Plan (2018).

### **Amenity space**

7.26 Policy D6 of the London Plan (2021) specifies that where there are no higher local standards in the borough development plan documents, a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings, and it must achieve a minimum width and depth of 1.5m.

- 7.27 Key Principle HS1 of the Planning Guidance SPD (2018) specifies that where balconies and/or terraces are provided, they must be designed to respect the amenity of neighbours and be designed so as not to detract from the character of the surroundings.
- 7.28 None of the 5 new residential units on the third floor would have access to private amenity space; however, the existing residential flats on the first floor (which currently do not have any private amenity space) would benefit from the creation of private roof terraces for each of the 5 existing flats:
- Existing Unit 1 (first floor) - (1b2p): 12sqm external private terrace
  - Existing Unit 2 (first floor) - (1b, 2p): 14sqm external private terrace
  - Existing Unit 3 (first floor) - (1b, 2p): 13sqm external private terrace
  - Existing Unit 4 (first floor) - (1b, 2p): 10sqm external private terrace
  - Existing Unit 5 (first floor) - (1b, 2p): 9sqm external private terrace
- 7.29 The constrained site does not lend itself to the provision of private amenity space for all the units, particularly on the upper floors. Given that the site is within walking distance of the public amenity space at Shepherd's Bush Green, in this case, the provision of external amenity space is considered acceptable. On balance, considering site constraints and the proximity of Shepherd's Bush Green, the proposals are in general accordance with London Plan Policy D6 and Local Plan HO11 and SPD Key Principle HS1.

## **Air quality**

- 7.30 Policy CC10 of the Local Plan (2018) specifies that the council will seek to reduce the potential adverse air quality impacts of new development. Notably, where a proposal has potential to result in occupants being affected by poor air quality, mitigation measures will be required to mitigate against this.
- 7.31 A borough wide air quality management area is in operation within Hammersmith and Fulham, and the application site is situated within an area of existing poor air quality due to road traffic emissions from Uxbridge Road (A4020). The Council's Air Quality Team were consulted on this application and raised no objection, subject to conditions including the submission of a Ventilation Strategy and post installation compliance report, and Ultra Low Emission Strategy (ULES); Zero Emission Air/Water Source Heat Pumps and Electric Boilers, Waste Water Heat Recovery System (WWHRS); and Temporary Solid Timber Hoarded Fencing.

## **8.0 DESIGN AND HERITAGE**

### **Design**

- 8.1 The NPPF recognises that creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 8.2 London Plan Policy D3 (Optimising site capacity through the design-led approach) states that, in terms of quality and character, development proposals should "respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character; and be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well".
- 8.3 London Plan Policy H1 (Increasing housing supply) notes that boroughs should attempt to optimise the potential for housing delivery on all suitable and available brownfield sites, including housing intensification on other appropriate low-density sites in commercial, leisure and infrastructure uses. Policy HC1 (Heritage Conservation and Growth) notes that development affecting heritage assets and their setting should conserve their significance, by being sympathetic to the asset's significance and appreciation within their surroundings.
- 8.4 Policies DC1 and DC2 of the Local Plan (2018) specify that new development should be of a high standard of design to create a high-quality urban environment that respects and enhances the scale and character of existing development and its setting. Specifically, this will be tested by taking into account the following:
- The historical context and townscape of the site, and its sense of place;
  - The scale, mass, form and grain of surrounding development and connections to it;
  - The relationship of the proposed development to the existing townscape;
  - The local design context;
  - Good neighbourliness and the principles of residential amenity;
  - The local landscape context;
  - Sustainability objectives;
  - The principles of accessible design;
  - Principles of secured by design.
- 8.5 The proposals seek to introduce an additional floor to 350-358 Uxbridge Road through provision of a mansard roof extension. The principle of the proposed mansard roof extensions was established by approval of application 2010/00696/FUL on 29 May 2012. This scheme comprised mansard roofs to the front and rear. The front mansard was set behind the existing parapet wall and the

rear mansard was set back from the line of the existing rear façade by a sufficient distance to allow the retained butterfly eaves and a proportion of the existing butterfly roof slopes to be retained. Although, limited weight can be placed on this consent given the time lapsed. Officers consider that the principles of good design and high quality, improved residential and commercial accommodation is considered to be acceptable. The current proposals for the roof extensions match the previous consented scheme and a full assessment of the proposed development is provided below.

- 8.6 The proposed retention of the existing shopfronts on to Uxbridge Road and the existing commercial units is supported. It is acknowledged that some internal re-arrangement of these ground floor units will be required to accommodate cycle storage for the new residential units that will be created on the upper floors. The proposed re-construction of the ground floor rear extensions to the retail units will facilitate the new cycle storage areas and will unify and tidy up the existing ad-hoc rear extensions. The new ground floor extensions will be set 1.5m back from the rear boundaries.
- 8.7 The proposed rear extensions at first floor level will be limited in overall depth to 3m and will extend to the full width of each plot. New private amenity terraces serving the existing dwellings at first floor will be created on the roof of the new ground floor extensions and will be connected to the dwellings by external metal staircases.
- 8.8 The proposed ground floor rear extensions are considered acceptable as they would replace existing structures of similar scale and bulk and they would remain obscured from public view behind existing boundary walls.
- 8.9 The proposed first floor extensions are considered acceptable owing to their modest depth and height, which would remain subordinate to the existing host buildings and would allow the existing second floor façade and butterfly eaves above to remain prominent in views from the surrounding streets.
- 8.10 Additional, full details in relation to materials, and 1:20 details of the elevations, details of fenestration, alongside retention of elements of the rear building façade, are suggested to be secured by proposed conditions.

## **HERITAGE IMPACTS**

- 8.11 The NPPF states that development should be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). The NPPF advocates a positive strategy for conserving and enhancing the historic environment, taking account of (amongst other things) the

desirability of new development to make a positive contribution to local character and distinctiveness. The NPPF also seeks to promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively. Paragraph 125 states that planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused.

- 8.12 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the principal statutory duties which must be considered in the determination of any application affecting listed buildings or conservation areas. Section 72 of the Act is relevant to consideration of these applications. In determining applications, Paragraph 208 of the NPPF states that LPAs should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
- 8.13 Paragraph 216 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 8.14 The NPPF makes a clear distinction between the approach to be taken in decision making where a proposed development would affect the significance of designated heritage assets (listed buildings, conservation areas, Registered Parks and Gardens) and where it would affect the significance of non-designated heritage assets (buildings of local historic and architectural importance).
- 8.15 The NPPF also makes a clear distinction between the approach to be taken in decision-making where a proposed development would result in 'substantial' harm and where it would result in 'less than substantial' harm.
- 8.16 The Planning Practice Guidance notes which accompany the NPPF remind us that it is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed.
- 8.17 Policy DC8 also seeks to protect, restore or enhance the quality, character, appearance and setting of the borough's historic environment including its conservation areas. When determining applications affecting heritage assets, particular regard will be given to matters of scale, height, massing, alignment, materials and use.

- 8.18 The site does not lie within a Conservation Area; however, the eastern end of this terrace 330-336 Uxbridge Road are located in the Ingersoll and Armingier conservation area. The intervening development., Nos 338 and 340 are occupied by a late 20th century infill building. The vast extent of the terrace are three-storey 19th century terraced buildings set back from the street, with ground floor commercial units extending to occupy what were likely the original front gardens to these properties. The proposals would also have the ability to impact upon the setting of the adjacent locally listed, (building of merit) 127 Uxbridge Road.
- 8.19 Nos 350-358 Uxbridge Road is a group of 5 properties in the centre of a terrace of 14 similar properties extending eastwards on the northern side of Uxbridge Road from No 368 at the corner of Bloemfontein Road to No 342. The properties in this consistent group are three storeys tall, with ground floor commercial frontages. A continuous front parapet with decorative corncicing conceals original butterfly roofs with distinctive butterfly eaves to the rear. The rears of these properties are generally sheer, apart from Nos 364, 366 and 368 which have what appear to be original two-storey pitched roof rear outriggers. Ground floors have typically been extended to fill in the original rear gardens or yards.
- 8.20 The proposed development at Nos 350-358 includes retention of ground floor commercial uses and frontages; reconstruction of existing ground floor rear extensions; refurbishment and re-arrangement of the existing ground, first and second floors; new rear extension at first floor level; formation of new roof terraces at first floor level; addition of a new mansard roof extension at third floor.
- 8.21 As such, officers do not consider that the proposals would result in any harm to the character or appearance of adjacent heritage through impacts to their setting. The proposals would have a limited degree of visibility when viewed within the setting of these assets and as such no harm would occur. The proposals represent a good quality of design, which would be of sufficient quality to inform approaches to additional floor extensions to those properties situated in the adjacent conservation area.
- 8.22 Overall, and subject to the commentary above, the proposed scheme is considered acceptable having paid special attention to the desirability of preserving or enhancing the character or appearance and setting of the adjacent conservation areas in accordance with section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990), and would be in accordance with the NPPF, London Plan Policies D3 and D5, and Local Plan Policies DC1, DC2, DC4 and DC8.

## **9.0 IMPACT UPON NEIGHBOURING AMENITY**

- 9.1 Policies DC2, HO4 and HO11 of the Local Plan (2018) specify that any proposal should ensure an acceptable impact upon the amenity of neighbouring residential occupants, especially with regard to outlook, privacy, daylight/sunlight and a sense of enclosure.
- 9.2 In terms of the immediate surrounding area, the application site relates to nos. 350-358 Uxbridge Road which is a group of 5 properties in the centre of a terrace of 14 similar properties extending eastwards on the northern side of Uxbridge Road from no.368 at the corner of Bloemfontein Road to no.342. The properties in this consistent group are three storeys tall, with ground floor commercial frontages and residential on the upper storeys. To the rear of Nos 350-358 are two 20th century apartment buildings accessed off Bloemfontein Avenue known as Archdale Court, aligned north-south and rising to 3 storeys with hipped roofs. The gable ends of these buildings are blank apart from a small number of windows that appear to serve bathrooms.

### **Daylight and Sunlight**

- 9.3 In support of the subject application, the applicant provided a daylight and sunlight assessment (rev I dated October 2025) prepared by EAL Consult. This assessment considers the following neighbouring properties:
1. No 12-16 Archdale Court - 5 windows were identified facing or next to the proposed site.
  2. No 17-21 Archdale Court - 7 windows were identified facing or next to the proposed site.
  3. No 360 Uxbridge Road - 4 windows were identified next to the proposed site.
- 9.4 The properties on the south side were excluded as the distance between the site and those properties is approximately 20m. The report concludes that all the window tested pass BRE daylight impact guidance. As such no objection is raised on this ground.
- 9.5 To assess loss of sunlight to an existing building, the BRE guidance suggests that all main living rooms of dwellings and conservatories should be checked if they have a window facing within 90 degrees of due south. The guidance states that kitchens and bedrooms are less important, although care should be taken not to block too much sun. The Annual Probable Sunlight Hours (APSH) predicts the sunlight availability during the summer and winter for the main windows of each habitable room that faces 90 degrees of due south. The summer analysis covers the period 21 March to 21 September, the winter analysis 21 September to 21 March. The BRE Guidance states a window may be adversely affected if the APSH received at a point on the window is less than 25% of the annual probable sunlight hours including at least 5% of the annual probable sunlight hours during

the winter months and the percentage reduction of APSH is 20% or more.

- 9.6 Of the 16 residential rooms assessed for APSH, all of these windows passed the recommended 5% during the summer and winter months. Overall, the resulting technical infringements are considered modest in this urban setting
- 9.7 In summary, in terms of daylight and sunlight, officers consider that the habitable rooms on the whole, retain sufficient access to daylight and sunlight after the development has been constructed would be acceptable having regard to London Plan Policy D6, Policies HO11, DC1 and DC2 of the Local Plan (2018), SPD Housing Key Principle HS7.

### **Outlook and a sense of enclosure**

- 9.8 The proposal does not include any side facing windows. Plans show a glazed privacy screen proposed between each of the external private roof terraces at first floor. These privacy screens would protect the infringement of 45 degree line taken from the each of the adjacent properties first floor first floor windows. Moreover, given the siting of the residential blocks known as Archdale Court - The primary outlook from these buildings is orientated east-west so there is minimal direct overlooking between them and the rear of Nos 350-358. The space between the apartment buildings is predominantly given over to car parking and has a number of mature trees. Officers consider the impact to this neighbour to be more or less in line with the existing arrangement. The front facing windows would be well over 18m from the nearest adjoining habitable room windows in accordance with Key Principle HS7. The proposed balconies/terraces would be orientated away from the surrounding upper floor residential windows and would have adequate screening to avoid loss of privacy and harmful overlooking. The size of the balconies/terraces are also be fairly small and would be incapable of holding large amount of people at any one time, which would limit the impacts of noise and disturbance on adjoining residential properties in line with Key Principle HS8.

### **Privacy**

- 9.9 With regard to the rear elevation windows of the proposed development, Key Principle HS7 of the Planning Guidance SPD (2018) specifies that any new windows should be positioned at least 18m from the existing habitable room windows of neighbouring properties. If this standard cannot be met, then the proposed windows should be designed to ensure that no loss of privacy occurs.
- 9.10 Given the siting of the residential blocks known as Archdale Court and their relationship with the application site, Officers consider the impact to this neighbour to be more or less in line with the existing arrangement and the inclusion of the minimum 1.8m privacy screens would help to continue to protect their privacy and

prevent any harmful overlooking. Officers are satisfied that there would be no adverse impacts on privacy as a result of the development.

9.11 Overall, for the reasons outlined above, Officers consider that the proposal would not result in detrimental harm to the amenity of adjoining residents. This would be comply with Policies DC2, HO4 and HO11 of the Local Plan (2018).

## **10. HIGHWAYS/PARKING AND REFUSE/RECYCLING**

### **Highways/parking**

10.1 Policy T1 of the Local Plan (2018) seeks to encourage the provision and use of public transport and bicycles, to improve congestion and air quality within the Borough. Policy T5 of the London Plan (2021) specifies that cycle parking should be fit for purpose, secure and well-located, with the following standards for residential accommodation:

- 1 space per studio unit or 1-person, 1-bedroom dwelling
- 1.5 spaces per 2-person, 1-bedroom dwelling
- 2 spaces per all other dwellings

10.2 Policy T4 of the Local Plan (2018) specifies that car parking permit free measures will be required on all new development unless evidence is provided to show that there is a significant lack of public transport available.

10.3 Policy T7 of the Local Plan (2018) outlines that construction and demolition works within the borough will be required to mitigate against the impact of any additional traffic or potential disruption to the highway network. This may typically be ensured by way of a construction and/or demolition logistics plan.

10.4 The application site achieves a Public Transport Accessibility Level score of between 3 and 4 which indicates relatively good/moderate access to frequent public transport options, using Transport for London's WebCAT planning tool. However, the site is located within walking distance of PTAL 6a (excellent) Shepherd's Bush Market station and the designated Metropolitan Town Centre of Shepherd's Bush. The H&F Local Plan defines the three town centres of Hammersmith, Shepherds Bush and Fulham.

### **Car Parking**

10.5 According to Policy T4 of the Local Plan (2018), the council will only consider issuing of permits for on street parking in locations where the PTAL level is considered 2 or lower (TfL's public transport accessibility level). The PTAL

calculator represents the best available tool for calculating public transport accessibility, as such this is the primary method for determining car permit free developments. The site lies within a Controlled Parking Zone. Therefore, to be in accordance with the Local Plan (2018) Policy T4 and The London Plan (2021), the proposed new units must be made car permit free for on-street parking, save for blue badge holders for disabled parking. This would also help reduce poor localised air quality and improve highways safety and condition. This is to be secured through a legal agreement.

10.6 The applicant has agreed to enter into a legal agreement. This would ensure car parking permit restrictions can be secured. The proposal is therefore in accordance with Policies CC10 and T4 of the Local Plan (2018) and Policies SI 1, T2 and T6 of the London Plan (2021).

### **Cycle Parking**

10.6 Policy T1 of the Local Plan seeks to encourage the provision and use of public transport and bicycles, to improve congestion and air quality within the Borough. Policy T5 of the London Plan specifies that cycle parking should be fit for purpose, secure and well-located, with the following standards for residential accommodation:

- o 1 space per studio unit or 1-person, 1-bedroom dwelling
- o 1.5 spaces per 2-person, 1-bedroom dwelling
- o 2 spaces per all other dwellings

10.7 For the commercial aspect, staff cycle parking will be provided within the demise of each of the commercial units, in line with standards. There will be one space provided for each of the units. For the residential units, A total of 20 long stay cycle parking spaces will be provided for residents based on a total of 9 studio and 6 x 1-bed 2-person units. These will be provided at the front of each unit within dedicated stores at ground floor level, with each store containing 2no. Sheffield Stands accommodating 4 spaces each. The stores will be accessed from the footway on Uxbridge Road. Officers welcome the creation of cycle parking for the existing residential units. This would be an improvement over the existing lack of suitable, easily accessible cycle parking.

### **Refuse and recycling**

10.8 Policy CC7 of the Local Plan (2018) specifies that all developments should aim to minimise waste and should provide convenient refuse and recycling storage facilities. Waste storage and collection at the site would follow the same arrangement as the existing.

- 10.9 Waste storage will be provided within each flat. It is expected that Residents will bag up waste and move it to the footway of Uxbridge Road on the collection day in line with the existing arrangements at the site.
- 10.10 The retail units will store waste internally within each separate unit. Tenants will bag up their waste and place on the footway of Uxbridge Road on the collection day at the relevant times. Final details of the waste and recycling arrangements will be secured by condition.
- 10.11 Overall, the proposal complies with Policy CC7 of the Local Plan (2018) and Key Principle WM4 of the Planning Guidance SPD (2018).

### **Demolition and Construction Logistics Plan**

- 10.12 The applicant's Outline Construction Logistics Plan has been submitted and reviewed by the Council's Transport Planning Team. In order to assess and minimise the impact of the demolition/construction of the proposed development on the local highway network, the submission of a Construction and Demolition Plan is required to include the numbers, size and routes of construction vehicles, provisions within the site to ensure that all vehicles associated with the construction works are properly managed, washed and cleaned to prevent the transfer of mud and dirt onto the highway/footway, as well as other matters relating to traffic management to be agreed with the Network Management and the Permit Coordinators of the Council. Subject to conditions securing further details of a final detailed plan, officers consider that the proposals would not unduly impact the nearby highway network during the construction and demolition phase/s.
- 10.13 Overall, highways officers raise no objections to the proposals, subject to appropriate conditions and legal obligations, the scheme would accord with the relevant policies of the London Plan and the Local Plan.

### **11.0 FLOOD RISK**

- 11.1 The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.
- 11.2 London Plan Policy SI 12 states that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. Policy SI 13 sets out the same requirement and additionally states that proposals for impermeable paving should be refused and that drainage should be designed and implemented to address water efficiency, water quality, biodiversity and recreation.

- 11.3 Local Plan Policy CC3 requires that new development reduce the use of water and be designed to take account of increasing risks of flooding. Policy CC4 states that new development would be expected to manage surface water run off by implementing a range of measures, such as sustainable drainage systems (SuDs) where feasible and the use of water efficient fittings and appliances.
- 11.4 This site is in the Environment Agency Flood Zone 1 indicating a low risk to flooding from the River Thames. Extensions are proposed at ground floor level although this is to provide additional commercial floorspace, not new residential accommodation.
- 11.5 A Flood Risk Assessment (FRA) has been provided. This includes some recommendations in terms of inclusion of some flood mitigation measures for the ground floor addition. With regards to the new units being provided at roof level, these would not need flood mitigation measures, but they should include water efficiency measures.
- 11.6 No objection to the proposals subject to compliance with the FRA recommendations. As new residential units are being created, it is necessary to limit internal water use to no more than 105 litres per person per day. Therefore, water efficiency measures should be installed to meet this requirement. This can be covered by condition or informative.
- 11.7 The council's Environmental Policy (Flood Risk) team reviewed the FRA and confirmed that they raised no objection to the proposal, subject to the details specified being adhered to. Subject to a compliance condition to this effect, the proposal would accord with Policies CC2 and CC3 of the Local Plan (2018).

## **12. SUSTAINABILITY / CLIMATE CHANGE**

- 12.1 The Local Plan (2018) outlines the Council's goal to make the borough the greenest and environmentally sustainable by 2035. This includes requiring new developments to reduce energy use, minimize non-renewable resources, and promote low or zero-carbon technologies to cut carbon emissions and harmful air pollutants. Major developments, in particular, will be held to these standards, as buildings are the primary source of carbon emissions in H&F.
- 12.2 Local Plan Policy CC1 (Reducing Carbon Dioxide Emissions) requires all major developments to implement energy conservation measures with a view to reducing carbon dioxide emissions. The policy, however, refers to the previous version of the London Plan and as such has been partly superseded by the more up to date requirements contained in the new London Plan. Local Plan Policy CC2

(Sustainable Design and Construction) seeks to ensure the implementation of sustainable design and construction measures by implementing the London Plan sustainable design and construction policies. In line with the Climate Change SPD, the Council also encourages the implementation of sustainability measures such as energy efficiency and carbon curbing measures to address the climate emergency declared by the Council in 2019.

- 12.3 Although this application is not a major development, an Energy Strategy and BREEAM pre-assessment report have been provided. The BREEAM report shows that a "Good" score can be achieved. These are not a planning policy requirement as such, given the small-scale nature of the proposals, but inclusion of sustainable design and construction measures is encouraged in smaller developments such as this, so the provision of this supporting information is welcomed.
- 12.4 Energy efficiency measures are proposed beyond those required as minimum by the Building Regulations to help improve the energy performance of the new dwellings and reduce heat loss in particular. Air Source Heat Pumps are also proposed as part of the space heating and hot water system.
- 12.5 The Energy Strategy states that analysis carried out to examine the impact of implementing ASHP as the main heating system for Be Green stage, results in carbon reduction of 65.6%, 66.0% and 70.2% for Non-residential (Existing), Residential (Existing) and Residential (Extension) part respectively. This exceeds London Plan requirement of 35% reduction.
- 12.6 The Energy Strategy report assesses the performance of the proposed development using the procedures set out in 'Energy Assessment Guidance - Greater London Authority guidance on preparing energy assessments (June 2022)' and applies the Mayor's Energy Hierarchy from the London Plan. Passive sustainability measures have been included in the design to increase the energy performance of the development such as in the building fabric, cross natural ventilation, cooling and heating abilities, etc.
- 12.7 The proposed scheme will achieve a 65.6%, 66.0% and 70.2% carbon reduction over for Non-residential, Residential (Existing) and Residential (Extension) parts respectively. The proposal also includes water-efficient fixtures which will help achieve the Council's sustainability goals in terms of climate change, sustainable drainage and renewable energy generation. The quality and durability of materials will be such to ensure the longevity of the new units and reflective of the existing architecture of the neighbourhood.
- 12.8 The implementation of the carbon reduction and sustainability measures as outlined in the Energy Strategy Report and BREEAM New Construction Pre-Assessment Report will be conditioned to ensure the proposed measures are included.

12.9 The proposed development accords with Policies SI 2, SI 3 and SI 4 of the London Plan 2021 and Policies CC1, CC2 and CC7 of the Local Plan 2018.

### **13. LAND CONTAMINATION**

13.1 Policy CC9 of the Local Plan (2018) outlines that when development is proposed on or near a site that is known to be, or there is good reason to believe may be, contaminated, or where a sensitive use is proposed, an applicant should carry out a site assessment and submit a report of the findings in order to establish the nature and extent of the contamination.

13.2 The Council's Land Contamination team have reviewed this planning application, and have highlighted that potentially contaminative land uses (past or present) are understood to occur at, or near to, the application site, whilst the proposal would also include a sensitive use (residential accommodation). Accordingly, Land Contamination have specified that a number of conditions (including pre-commencement conditions requiring the submission of a preliminary risk assessment and a site investigation scheme) are necessary. Therefore, subject to conditions the proposal would accord with Policy CC9 of the Local Plan (2018).

### **14. FIRE SAFETY/ STRATEGY**

14.1 The London Plan (2021) includes Policy D12 which is concerned with Fire Safety and states that all development proposals must achieve the highest standards of fire safety by providing details such as location of fire appliances, evacuation assembly points and suitable means of escape. The Policy therefore encourages the submission of a Fire Safety Statement with all planning applications.

14.2 A Fire Strategy report has been submitted in support of the application and it provides a response to the relevant points of Policy D12 (A) of the London. Given the nature of the proposal, officers are satisfied that the proposed development would satisfy London Plan Policy D12, Part A.

### **15. COMMUNITY INFRASTRUCTURE LEVY**

15.1 Mayoral CIL (Community Infrastructure Levy) came into effect in April 2012 and is a material consideration to which regard must be had when determining this planning application. Under the London wide Mayoral CIL the development according to the figures provided in the applicant's mayor CIL form is estimated to be liable for a £31,920 (excluding indexation). The GLA expect the Council, as the Collecting Authority, to secure the levy in accordance with London Plan Policy 8.3 (Community Infrastructure Levy).

15.2 The borough's own community infrastructure levy came into effect on 1st September 2015. The site is located in the 'Central B' charging zone. The rate for this zone for the creation of residential floorspace is £100/sq.m. The proposed development is estimated to be liable for a payment of £39,900 (excluding indexation) under the borough's CIL. This payment would go towards infrastructure projects and needs including health, education, community safety, leisure and parks, waste and street enforcement, community investment, economic development, libraries, environmental health, drainage and flooding, basic transport infrastructure and public realm improvement.

### **S106 Heads of Terms**

15.3 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'.

15.4 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.

15.5 Local Plan Policy INFRA1 (Planning Contributions and Infrastructure Planning) advises that the council will seek planning contributions to ensure the necessary infrastructure to support the Local Plan is delivered using two main mechanisms which are the Community Infrastructure Levy (CIL) and Section 106 Agreements (s106).

15.6 The planning obligations set out in the heads of terms below are considered necessary to make the development acceptable in planning terms, they are related to the development and reasonably commensurate the scale and type of development proposed. A Section 106 agreement is therefore required to ensure the proposal is in accordance with the statutory development plan and to secure the necessary infrastructure to mitigate the needs and impacts of the proposed development.

15.7 In view of the fact the Section 106 agreement will be the subject of extended negotiations, officers consider that circumstances may arise which may result in the need to make minor modifications to the conditions and obligations (which may include variation, addition, or deletion). Accordingly, the second recommendation has been drafted to authorise the Director of Planning and Property, after

consultation with the Assistant Director Legal Services and the Chair of the Planning and Development Control Committee, to authorise the changes they consider necessary and appropriate, within the scope of such delegated authority.

15.8 The applicant is expected to agree to enter into a legal agreement with the Council to which would include the following site-specific items:

1) Financial Contribution of £87,000 that will contribute to:

Public realm, environmental improvements, affordable housing, community safety and economic development to support delivery of the Council's Industrial Strategy (or any successor to it), including to support employment, skills and local procurement activities;

2) A commitment to meet the costs of the Council's associated legal fees.

3) Restriction of on-street car parking permits in borough CPZs save for blue badge holders (disabled parking); under Section 16 of the Greater London Council (General Powers) Act 1974.

4) Provision of Demolition and Construction Logistics Plans, and fund liaison with Local Contractor Co-ordination Group associated with monitoring of the demolition and construction process (£3,000 per annum).

## **16. CONCLUSIONS**

16.1 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.

16.2 In summary, Officers consider that the proposed development would be appropriate in terms of land use, design and scale, and that it would not cause demonstrable harm to the amenities of neighbouring residents.

16.3 The proposals would contribute towards an identified housing need and local housing target and would have a neutral impact on the character and appearance of the street scene and the surrounding area. Highways, transportation and environmental matters including energy and sustainability, flood risk, air quality and land contamination have also been satisfactorily addressed and will be subject to conditions/planning obligations. In these respects, the proposals comply with the

relevant policies of the NPPF (2024), the London Plan (2021), the Local Plan (2018) and the relevant Key Principles within the 'Planning Guidance' (2018) and 'Climate Change' (2023) Supplementary Planning Documents.

16.4 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 legal agreement.

16.5 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.

## **17. RECOMMENDATION**

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