

Appeal Decisions

Site visit made on 10 October 2016

by David Spencer BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20 October 2016

APPEAL A

Appeal Ref: APP/H5390/W/16/3153144

120 Blythe Road, London, W14 0HD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Transeuropean V Residential 1 Jersey Ltd against the decision of the Council of the London Borough of Hammersmith & Fulham.
 - The application Ref 2015/06027/FUL, dated 16 December 2015, was refused by notice dated 26 April 2016.
 - The development proposed is erection of a single storey rear extension, formation of light wells and conversion of the ground and basement into two self-contained duplex flats.
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APPEAL B

Appeal Ref: APP/H5390/W/16/3153204

120 Blythe Road, London, W14 0HD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Transeuropean V Residential 1 Jersey Ltd against the decision of the Council of the London Borough of Hammersmith & Fulham.
 - The application Ref 2015/06029/FUL, dated 16 December 2015, was refused by notice dated 26 April 2016.
 - The development proposed is erection of a single storey rear extension, formation of light wells and conversion of the ground and basement into two self-contained duplex flats
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APPEAL C

Appeal Ref: APP/H5390/W/16/3153225

120 Blythe Road, London, W14 0HD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Transeuropean V Residential 1 Jersey Ltd against the decision of the Council of the London Borough of Hammersmith & Fulham.
 - The application Ref 2015/06028/FUL, dated 16 December 2015, was refused by notice dated 26 April 2016.
 - The development proposed is erection of a single storey rear extension together with the conversion of part of the ground floor into a self-contained flat.
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Decision

1. The appeals are allowed and planning permission is granted for: (1) a single storey rear extension, formation of light wells and conversion of the ground and basement into two self-contained duplex flats in accordance with the terms of the planning applications, refs 2015/06027/FUL and 2015/06029/FUL, both dated 16 December 2016 and in accordance with the conditions set out at Schedules A and B appended to this decision; and (2) a single storey rear
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extension together with the conversion of part of the ground floor into a self-contained flat at 120 Blythe Road, London W14 0HD in accordance with the terms of planning application, ref 2015/06028/FUL, dated 16 December 2015 and the conditions set out in Schedule C appended to this decision.

Preliminary Matters

2. Whilst the descriptions for appeals A and B are identical, as taken from the application form, it is clear from the plans that they are materially different with regards to the width of the proposed light wells on the Masbro Road frontage.

Main Issues

3. The main issues for these appeals are as follows:
 - a) Whether the appeal proposals would preserve or enhance the character or appearance of the Lakeside, Sinclair & Blythe Road Conservation Area including the streetscape within Blythe Road and Masbro Road; and
 - b) Whether the proposed conversion of the basement would provide acceptable living conditions for future occupiers, with regard to outlook and provision of private amenity space.

Reasons

Character and Appearance

4. The appeal site is situated in the Lakeside, Sinclair & Blythe Road Conservation Area – No.36 (the LSBRCA). Accordingly, as well as the requirements of the development plan and National Planning Policy Framework (NPPF), I am cognisant that Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.
5. From my observations the LSBRCA is characterised by predominantly two, three and four storey buildings of generally late Nineteenth Century origin. The prevailing use is residential but there are pockets of commercial and community uses, notably on Blythe Road at the appeal location and elsewhere on Masbro Road. Overall, the LSBRCA retains a strong character of a relatively tight grain of well organised terraced housing arranged in blocks such that there is little sense or visibility of the private spaces between the rear elevations of these dwellings. Consequently, it is mainly the orderly street pattern and arrangement of building blocks and the overall construction quality of these predominantly Victorian and early Twentieth Century buildings which, in my view, constitutes the heritage significance of the LSBRCA.
6. The appeal site comprises a three storey public house building on the corner of Blythe Road and Masbro Road. Like the vast majority of buildings elsewhere in the LSBRCA the appeal building is separated from the highway by a small frontage area. The appeal building forms the end of a long terrace of three storey houses extending along Blythe Road from the west. It then adjoins a short terrace of three storey houses running north on Masbro Road. The rear of the building faces onto an area enclosed by this adjoining development as well as other terraced housing and outbuildings on Springvale Terrace. This rear enclosed area mainly comprises the small private amenity spaces of the

surrounding houses as well as a modest area which functioned as a 'garden terrace' for the public house use at the appeal site.

7. All three appeal proposals would involve a sizeable single storey extension that would occupy some two thirds of the existing garden terrace area. The extension would be single storey with a flat roof that would not protrude above the level of the tall brick walls surrounding the garden terrace. Whilst it would be a sizeable extension it would appear almost as a stand-alone, ancillary structure due to the unusual layout of land boundaries rather than a more conventional extension or consolidation of an existing building. In some respects it would integrate with other single storey buildings to the west and north-west on the rear of Springvale Terrace. Overall, the subservient profile of the proposed extension would not harm a wider sense of openness or detrimentally impinge on the density or pattern of development. Consequently, I find that this element of the appeal proposals would not harm the character or appearance of the LSBRCA.
8. I note that the scale of the extension would exceed the parameters set out in the Local Planning Authority's (LPA) Supplementary Planning Document 2013 (the SPD) at Housing Policy 6. However, the SPD is general guidance and in this particular case, the terrace garden to the public house forms a small, almost detached area of land that has a limited relationship to its host building due to the degree of separation by adjoining private amenity areas. Accordingly, as set out above, I find that there would not be the harmful overdevelopment averred by the LPA. Furthermore, whilst I understand the LPAs concerns regarding precedent I have considered the proposed extension on its own merit and I am satisfied that the particular circumstances at the appeal site would not be readily replicated.
9. I observed that semi-basements in the narrow frontage areas between the buildings and the street are a characteristic feature in many parts of the LSBRCA. This includes the stuccoed semi-basements at Nos. 5- 13 Masbro Road immediately to the north of the appeal site and at various properties along Blythe Road immediately to the west of the appeal site (extending to No.134). I also observed a small number of full basements including those referred to me by the appellant also on Masbro Road and Blythe Road. I observed that the light wells to these basement levels were enclosed either by iron railings or low stuccoed walls.
10. From the submitted plans I am satisfied that the position, scale and style of enclosure of the proposed light wells would integrate suitably with those adjoining light wells on Blythe Road and Masbro Road. Accordingly, the appearance of the light wells would not be conspicuous and would complement the wider streetscape. Additionally, the small forecourt of the appeal building is visually cluttered by seating, waste receptacles and enclosures from the public house use. These are now in poor condition such that the proposed light wells would bring better definition and visual improvement to this prominent corner location.
11. From the submitted plans before me there would be external storage to the front of the building for cycles and refuse. I agree with the LPA that this would result in detrimental visual clutter. The appellant submits that the detail of the waste and cycle storage could be dealt with by condition to secure an alternative arrangement. Having regard to the Planning Practice Guidance

(PPG)¹ I consider the details of this matter could be appropriately addressed by condition to avoid the harm identified.

12. The submitted plans for Appeals A and B show alterations to the corner façade of the public house building which would see, amongst other things, the doorway infilled with render and the toplight replaced with clear glazing. The appellant has indicated that the existing doors could be retained and this detail could be conditioned. Whilst I do not consider the plan proposals to be especially harmful to the appearance of the building or the LSBRCA I accept that retention of the existing door with its attractive elements of architectural detailing, including stained glazing, redolent of its origin as a public house would be preferable. I therefore consider this detail can be satisfactorily resolved by way of condition, again in the terms described in the PPG.
13. I therefore conclude that the appeal proposal would preserve the character and enhance the appearance of the Lakeside, Sinclair & Blythe Road Conservation Area including the streetscape within Blythe Road and Masbro Road. The proposal would therefore accord with Policy BE1 of the Hammersmith & Fulham Core Strategy 2011 (the CS) and Policies DM G3 and DM G7 of the Hammersmith & Fulham Development Management Local Plan 2013 (the DMLP). Whilst I have identified that there would be some conflict with aspects of the Planning Guidance Supplementary Planning Document 2013 (the SPD), overall the design of the scheme would be an appropriate response to its particular context. Therefore, the proposal would accord with the objectives of the NPPF to secure high quality design and to conserve heritage assets in a manner appropriate to their significance.

Living Conditions

14. Appeals A and B would involve converting the ground floor and basement levels of the public house to form two duplex flats. The proposed basement level would accommodate bedrooms for both flats whose outlook and natural light would be via the proposed light wells. Having regard to the appellant's 'Daylight Assessment' I note that light levels to the bedrooms, accounting for overcast conditions, would exceed the 'average daylight factor' in accordance with BRE methodology. Accordingly, I find the scale and positioning of the proposed openings means these rooms would have sufficient daylight levels appropriate to their function. As such these rooms would not have an oppressively unacceptable outlook, having taken into account the variance in width of the light wells on Masbro Road between Appeals A and B.
15. I am satisfied that the unit described on the plans as "Duplex 1" would have sufficient private amenity space on part of the former garden terrace to the public house. I also find that the size of the proposed basement courtyards in the proposed light wells to "Duplex 2" would provide sufficient amenity space for sitting out, growing plants and basic children's play. I also noted the proximity of public open space at Brook Green. Consequently, I have assessed that appeal proposals A and B would provide an appropriate level and quality of amenity space for their location.
16. I therefore conclude that the proposed conversion of the basement would provide acceptable living conditions for future occupiers, with regard to outlook and amenity space. Appeal proposals A and B would therefore not compromise

¹ PPG Paragraph: 006 Reference ID: 21a-006-20140306

the objectives of CS Policy H3 and DMLP Policies DM A2 and DM A9 which seek to secure good quality living environments in the Borough. It would also not undermine DMLP Policies DM A2 and DM A9 and contents of the SPD with regards to providing appropriate amenity space. These appeal proposals would also accord with the objective at paragraph 17 of the NPPF to secure a good standard of amenity for future occupants of buildings.

Other matters

17. I note that some local residents have expressed concern regarding the loss of the public house use. However, I also note that the premises have been closed for some time and have been marketed to the satisfaction of the LPA². I have very little evidence to find that the loss would be harmful to the vitality of the area or would conflict with the development plan. In any event appeal proposal C would allow for the retention of a reduced trading area.

Conclusion and Conditions

18. As set out above I find the appeal proposals would not result in any harm to the heritage significance of the LSBRCA. Furthermore, appeal proposals A and B would not result in substandard living conditions for future occupiers in terms of the living environment at the proposed basement level and amenity space. For the reasons set above, and having regard to all other matters raised, I conclude that the appeals should be allowed.
19. The LPA suggested a number of conditions which would be necessary if the appeals were to be allowed. I have considered these in light of the content of the Planning Practice Guidance (PPG) and the tests for conditions at paragraph 206 of the NPPF. Where necessary I have amended the wording of suggested conditions to reflect the PPG. To ensure there is not an undue pre-commencement burden on the development I have amended the wording of several conditions to refer to "construction". I am clear that this wording would allow for the demolition and excavation stages before details are agreed on the "construction" works of the appeal proposal.
20. For all three appeal proposals, in addition to the standard time limit condition, a condition requiring the development is carried out in accordance with the approved plans is necessary for the avoidance of doubt and to ensure proper planning. In order to ensure the appearance of the LSBRCA is enhanced I consider it is necessary to impose conditions to manage the quality of the materials and openings, to protect existing elevations, prevent external water tanks, remove permitted rights relating to aërials and antennae and require details of the waste and cycle storage to be agreed. Additionally, in respect of Appeals A and B conditions to ensure appropriate details of the light well railings and the corner façade are agreed before construction starts are also necessary for similar reasons.
21. In terms of protecting the living conditions of the occupiers of the appeal proposals and surrounding buildings conditions are necessary to prevent the roof of the extension being used as a roof terrace, details of a construction management plan to be agreed before any development commences, as well as details of the external lighting details and sound insulation measures to directly adjoining dwellings. Given the level of construction works for Appeal C

² Paragraphs 3.4-3.8 of LPA Officer Report for 2015/06028/FUL

I agree a condition requiring a Construction Management Plan is not necessary, however I have imposed a condition to restrict construction hours in the interests of the amenities of surrounding residences.

22. In respect of public safety a condition is necessary ensuring the site is safely enclosed during the demolition, excavation and constructions for Appeals A and B. I have also imposed conditions requiring details of a sustainable drainage scheme and for the measures in the appellant's flood risk assessment to be implemented. For appeals A and B a condition requiring the installation of sewage pumps for the basement level is also imposed. These conditions are necessary in the interests of reducing flood risk and ensuring adequate drainage. The LPA suggested a raft of conditions on contamination. I have very little evidence that there is a particular contamination issue at the appeal site and accordingly I have imposed a single, condensed and proportionate contamination condition to all appeal schemes.
23. Having read the appellant's Transport Statement³ I note that car ownership levels from the 2011 Census are relatively low in the appeal Ward and the evidence around public transport availability and local car clubs reinforces a picture of low car demand. However, I have very little evidence that there are particular highway safety issues, including congestion or highway obstruction, arising from on-street parking demand. Accordingly, I am not persuaded on the basis of the evidence before me that it is necessary to impose the LPAs suggested conditions restricting occupiers of the appeal proposal from obtaining parking permits.
24. In respect of Appeals A and B to ensure adequate living conditions I agree a condition preventing the basement level being occupied as a self-contained dwelling is also necessary.
25. The LPA has suggested a number of conditions to manage the external appearance of the building and require separate permissions where necessary. I consider some of these conditions contain duplication and are unnecessary. Accordingly, I have only included those conditions which necessarily protect the character and appearance of the area that are directly relevant to the appeal proposals. For example, I find the condition requiring details on the dimensions of the light wells unnecessary given the details on the plans. In addition, having read the related evidence I am not persuaded that conditions regarding the root protection area of a nearby Sycamore tree or water efficient appliances are necessary. Similarly, I do not consider a condition requiring standards of Secured by Design is necessary given the security requirements in the new Part Q of the Building Regulations which post-date the DMLP.

David Spencer

Inspector.

³ December 2015 TTP Consulting Ltd

Schedule of Conditions

Appeal A (Appeal ref 3153144 / Planning application ref 2015/06027/FUL)

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

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

0426 OS_Site Plan; 0426-PL-210 Rev. A1 (Proposed Lower Ground Floor); 0426-PL-211 Rev. A1 (Proposed Ground Floor); 0426-PL-221 Rev.C (Proposed elevations); 0426-PL-222 Rev. A (proposed elevation); 0426-PL-231 Rev. A (proposed section); and 0426-PL-232 Rev. C (Proposed section).

3) Any alterations to the elevations of the existing building shall be carried out in the same materials as the existing elevation to which the alterations relate.

4) No demolition shall commence prior to the submission and approval in writing by the Council of details of a scheme for the temporary fencing and/or enclosure of the site. The temporary fencing/means of enclosure shall be constructed in accordance with the approved details and retained during the demolition and construction phases.

5) No construction of the development hereby permitted shall commence until particulars and samples of materials (including colour and texture of render) to be used in all external faces of the building, and all surface treatments, have been submitted to and approved in writing by the Council. The development shall be carried out in accordance with such details as have been approved, and thereafter permanently retained in this form.

6) The rear extension hereby permitted shall be finished in render and painted white and thereafter permanently retained in this form.

7) No construction of the development hereby permitted shall commence until full details and samples of the new replacement windows and doors, including opening style and sub-division have been submitted to, and approved in writing by, the Council. Such details as approved shall thereafter be implemented prior to first occupation of the property and permanently retained thereafter.

8) Any changes to the external appearance of the building, not shown on the approved drawings, must first be submitted and approved in writing by the Council prior to their installation.

9) The roof of the extension hereby approved shall not be used as a terrace or other amenity space. No railings or other means of enclosure shall be erected on or around the roof, and no alterations shall be carried out to the rear elevation of the application property to form access onto the roof.

10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order with or without modification), no aerials, antennae, satellite

dishes or related telecommunications equipment shall be erected on any external part of the approved buildings, without planning permission first being obtained.

11) Notwithstanding condition No. 2, the development hereby permitted shall not be occupied until the details for the refuse/recycling storage area have been submitted and approved in writing by the Council. The refuse/recycling storage area shall be provided in accordance with the approved details and permanently retained thereafter.

12) Notwithstanding condition No.2, no part of the residential development hereby approved shall be occupied prior until details for the provision of four cycle parking spaces for the development hereby approved have been submitted to and approved in writing by the Council. The approved cycle parking shall be implemented prior to the occupation of the permitted dwellings in accordance with the approved details and shall be permanently retained thereafter.

13) No water tanks, water tank enclosures or other structures shall be erected upon flat roofs of the extensions hereby permitted.

14) No construction of the development hereby permitted shall commence prior to the submission and approval in writing by the Council of details of any proposed external lighting, including security lights and lighting to the proposed light wells. Such details shall include the number, exact location, height, design and appearance of the lights, together with data concerning the levels of illumination and light spillage and the specific measures, having regard to the recommendations of the Institution of Lighting Engineers in the 'Guidance Notes For The Reduction Of Light Pollution 2011' to ensure that the any lighting proposed does not harm the existing amenities of the occupiers of neighbouring properties. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

15) Prior to commencement of construction works, 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, namely the floor/ceiling between the ground and first floors. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

16) No plumbing, extract flues or pipes, other than rainwater pipes, may be fixed on the front elevation of the building.

17) Prior to commencement of the development hereby permitted a sustainable drainage system for the property shall be submitted to and approved in writing by the Council. The residential development shall not be occupied until the measures as approved have been implemented; and these measures shall be permanently retained as such thereafter.

18) Prior to commencement of the development hereby approved, a Construction Management Plan and Construction Logistics Plan shall be submitted to and approved in writing by the Council. Details shall include contractors' construction method statements, waste classification and disposal procedures and locations, control measures for dust, noise, vibration, lighting, delivery locations, restriction

of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800-1300hrs on Saturdays and at no time on Sundays and Bank Holidays, advance notification to neighbours and other interested parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works. The details shall also include the numbers, size and routes of demolition and construction vehicles, provisions within the site to ensure that all vehicles associated with the construction works are properly washed and cleaned to prevent the passage of mud and dirt onto the highway, and other matters relating to traffic management to be agreed. The Construction Logistics Plan shall be in accordance with Transport for London (TfL) requirements, which seek to minimise the impact of construction traffic on nearby roads and restrict construction trips to off peak hours only. The approved details shall be implemented throughout the project period.

19) No construction of the development hereby permitted shall commence until detailed drawings in plan, section and elevation at a scale of not less than 1:20 and details of materials (including samples) of the front metal railings have been submitted to and approved in writing by the Council. The development shall be carried out in accordance with such details as have been approved and retained thereafter in that form.

20) Prior to the occupation of the basement hereby approved, a non-return valve and pump device should be installed to prevent sewage 'back-surfing' into the basement in times of heavy rain and to allow the property's sewage to continue to flow properly into the sewer network.

21) No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any construction begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before development begins.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

22) The development shall be carried out in accordance with the details contained within the submitted flood risk assessment. All flood prevention and mitigation measures should be installed in accordance with the approved details prior to the occupation of the basement accommodation.

23) The basement floorspace hereby approved shall only be used in connection with the ground floor residential units hereby approved. The basement accommodation shall not be occupied as a self-contained flat that is separate and distinct from the use of the remainder of the ground floor.

24) Notwithstanding condition No.2, construction of the development hereby permitted shall not commence until details of the corner entrance to Blythe and Masbro Roads have been submitted to and approved in writing by the Council. Development shall be carried out in accordance with the approved details and permanently retained thereafter.

Schedule for Appeal A ends.

Schedule of Conditions

Appeal B (Appeal ref 3153204 / Planning application ref 2015/06029/FUL)

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

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

0426 OS_Site Plan; 0426-PL-210 Rev. B1 (Proposed Lower Ground Floor); 0426-PL-211 Rev. B1 (Proposed Ground Floor); 0426-PL-221 Rev.B1 (Proposed elevations); 0426-PL-222 Rev. B (proposed elevation); 0426-PL-231 Rev. B (proposed section); and 0426-PL-232 Rev. B1(Proposed section).

3) Any alterations to the elevations of the existing building shall be carried out in the same materials as the existing elevation to which the alterations relate.

4) No demolition shall commence prior to the submission and approval in writing by the Council of details of a scheme for the temporary fencing and/or enclosure of the site. The temporary fencing/means of enclosure shall be constructed in accordance with the approved details and retained during the demolition and construction phases.

5) No construction of the development hereby permitted shall commence until particulars and samples of materials (including colour and texture of render) to be used in all external faces of the building, and all surface treatments, have been submitted to and approved in writing by the Council. The development shall be carried out in accordance with such details as have been approved, and thereafter permanently retained in this form.

6) The rear extension hereby permitted shall be finished in render and painted white and thereafter permanently retained in this form.

7) No construction of the development hereby permitted shall commence until full details and samples of the new replacement windows and doors, including opening style and sub-division have been submitted to, and approved in writing by, the Council. Such details as approved shall thereafter be implemented prior to first occupation of the property and permanently retained thereafter.

8) Any changes to the external appearance of the building, not shown on the approved drawings, must first be submitted and approved in writing by the Council prior to their installation.

9) The roof of the extension hereby approved shall not be used as a terrace or other amenity space. No railings or other means of enclosure shall be erected on or around the roof, and no alterations shall be carried out to the rear elevation of the application property to form access onto the roof.

10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order with or without modification), no aerials, antennae, satellite dishes or related telecommunications equipment shall be erected on any external part of the approved buildings, without planning permission first being obtained.

11) Notwithstanding condition No. 2, the development hereby permitted shall not be occupied until the details for the refuse/recycling storage area have been submitted and approved in writing by the Council. The refuse/recycling storage area shall be provided in accordance with the approved details and permanently retained thereafter.

12) Notwithstanding condition No.2, no part of the residential development hereby approved shall be occupied prior until details for the provision of four cycle parking spaces for the development hereby approved have been submitted to and approved in writing by the Council. The approved cycle parking shall be implemented prior to the occupation of the permitted dwellings in accordance with the approved details and shall be permanently retained thereafter.

13) No water tanks, water tank enclosures or other structures shall be erected upon flat roofs of the extensions hereby permitted.

14) No construction of the development hereby permitted shall commence prior to the submission and approval in writing by the Council of details of any proposed external lighting, including security lights and lighting to the proposed light wells. Such details shall include the number, exact location, height, design and appearance of the lights, together with data concerning the levels of illumination and light spillage and the specific measures, having regard to the recommendations of the Institution of Lighting Engineers in the 'Guidance Notes For The Reduction Of Light Pollution 2011' to ensure that the any lighting proposed does not harm the existing amenities of the occupiers of neighbouring properties. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

15) Prior to commencement of construction works, 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, namely the floor/ceiling between the ground and first floors. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

16) No plumbing, extract flues or pipes, other than rainwater pipes, may be fixed on the front elevation of the building.

17) Prior to commencement of the development hereby permitted a sustainable drainage system for the property shall be submitted to and approved in writing by the Council. The residential development shall not be occupied until the measures as approved have been implemented; and these measures shall be permanently retained as such thereafter.

18) Prior to commencement of the development hereby approved, a Construction Management Plan and Construction Logistics Plan shall be submitted to and approved in writing by the Council. Details shall include contractors' construction method statements, waste classification and disposal procedures and locations, control measures for dust, noise, vibration, lighting, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800-1300hrs on Saturdays and at no time on Sundays and Bank Holidays, advance notification to neighbours and other interested parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works. The details shall also include the numbers, size and routes of demolition and construction vehicles, provisions within the site to ensure that all vehicles associated with the construction works are properly washed and cleaned to prevent the passage of mud and dirt onto the highway, and other matters relating to traffic management to be agreed. The Construction Logistics Plan shall be in accordance with Transport for London (TfL) requirements, which seek to minimise the impact of construction traffic on nearby roads and restrict construction trips to off peak hours only. The approved details shall be implemented throughout the project period.

19) No construction of the development hereby permitted shall commence until detailed drawings in plan, section and elevation at a scale of not less than 1:20 and details of materials (including samples) of the front metal railings have been submitted to and approved in writing by the Council. The development shall be carried out in accordance with such details as have been approved and retained thereafter in that form.

20) Prior to the occupation of the basement hereby approved, a non-return valve and pump device should be installed to prevent sewage 'back-surfing' into the basement in times of heavy rain and to allow the property's sewage to continue to flow properly into the sewer network.

21) No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any construction begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before development begins.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the

local planning authority. The remediation of the site shall incorporate the approved additional measures.

22) The development shall be carried out in accordance with the details contained within the submitted flood risk assessment. All flood prevention and mitigation measures should be installed in accordance with the approved details prior to the occupation of the basement accommodation.

23) The basement floorspace hereby approved shall only be used in connection with the ground floor residential units hereby approved. The basement accommodation shall not be occupied as a self-contained flat that is separate and distinct from the use of the remainder of the ground floor.

24) Notwithstanding condition No.2, construction of the development hereby permitted shall not commence until details of the corner entrance to Blythe and Masbro Roads have been submitted to and approved in writing by the Council. Development shall be carried out in accordance with the approved details and permanently retained thereafter.

Schedule for Appeal B ends.

Schedule of Conditions

Appeal C (Appeal ref 3153225 / Planning application ref 2015/06028/FUL)

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

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

0426 OS_Site Plan; 0426-PL-210 Rev.C (Proposed Lower Ground Floor); 0426-PL-211 Rev.C (Proposed Ground Floor); 0426-PL-221 Rev.C (Proposed elevations); 0426-PL-222 Rev. C (proposed elevation); 0426-PL-231 Rev. C (proposed section); and 0426-PL-232 Rev. C (Proposed section).

3) Any alterations to the elevations of the existing building shall be carried out in the same materials as the existing elevation to which the alterations relate.

4) The rear extension hereby permitted shall be finished in render and painted white and thereafter permanently retained in this form.

5) No construction of the development hereby permitted shall commence until full details and samples of the new replacement windows and doors, including opening style and sub-division have been submitted to, and approved in writing by, the Council. Such details as approved shall thereafter be implemented prior to first occupation of the property and permanently retained thereafter.

- 6) Any changes to the external appearance of the building, not shown on the approved drawings, must first be submitted and approved in writing by the Council prior to their installation.
- 7) The roof of the extension hereby approved shall not be used as a terrace or other amenity space. No railings or other means of enclosure shall be erected on or around the roof, and no alterations shall be carried out to the rear elevation of the application property to form access onto the roof.
- 8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order with or without modification), no aerials, antennae, satellite dishes or related telecommunications equipment shall be erected on any external part of the approved buildings, without planning permission first being obtained.
- 9) Notwithstanding condition No. 2, the development hereby permitted shall not be occupied until the details for the refuse/recycling storage area have been submitted and approved in writing by the Council. The refuse/recycling storage area shall be provided in accordance with the approved details and permanently retained thereafter.
- 10) Notwithstanding condition No.2, no part of the residential development hereby approved shall be occupied prior until details for the provision of two cycle parking spaces for the development hereby approved have been submitted to and approved in writing by the Council. The approved cycle parking shall be implemented prior to the occupation of the permitted dwellings in accordance with the approved details and shall be permanently retained thereafter.
- 11) No water tanks, water tank enclosures or other structures shall be erected upon flat roofs of the extensions hereby permitted.
- 12) No construction of the development hereby permitted shall commence prior to the submission and approval in writing by the Council of details of any proposed external lighting, including security lights. Such details shall include the number, exact location, height, design and appearance of the lights, together with data concerning the levels of illumination and light spillage and the specific measures, having regard to the recommendations of the Institution of Lighting Engineers in the 'Guidance Notes For The Reduction Of Light Pollution 2011' to ensure that the any lighting proposed does not harm the existing amenities of the occupiers of neighbouring properties. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.
- 13) Prior to commencement of construction works, 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, namely the floor/ceiling between the ground and first floors. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.
- 14) No plumbing, extract flues or pipes, other than rainwater pipes, may be fixed on the front elevation of the building.

15) Prior to commencement of the development hereby permitted a sustainable drainage system for the property shall be submitted to and approved in writing by the Council. The residential development shall not be occupied until the measures as approved have been implemented; and these measures shall be permanently retained as such thereafter.

16) Demolition or construction works shall not take place outside 08:00hours to 18:00hours Mondays to Fridays and 08:00hours to 13:00hours on Saturdays nor at any time on Sundays or Bank Holidays.

17) No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any construction begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before development begins.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

18) The development shall be carried out in accordance with the details contained within the submitted flood risk assessment. All flood prevention and mitigation measures should be installed in accordance with the approved details prior to the occupation of the basement accommodation.

Schedule for Appeal C ends.