

London Borough of Hammersmith & Fulham

Development Management. The Economy Department
Hammersmith Town Hall, King Street, London W6 9JU

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Mr Paul Watson
Phillips Planning Services Ltd
Kingsbrook House
7 Kingsway
Bedford
MK42 9BA

5th February 2024

Applicant:
Marston Properties Limited
Marston Properties Limited
c/o Agent
c/o Agent
MK42 9BA

Application Reference: **2023/02534/FUL**
Registered on: **3rd October 2023**

**Town and Country Planning Act 1990
Town and Country Planning General Regulations 1992**

FULL PLANNING PERMISSION

Location and Description:

12 Ongar Road London SW6 1SJ

Erection of an additional floor together with the formation of a roof terrace at roof level; erection of a single storey rear extension, to the side and rear of the existing back addition at basement level; erection of an external staircase from basement to ground floor level at the rear of the property; infilling of 1no window at the side of rear back additions at ground and first floor level (northern elevation); installation of a new window to replace the existing window to the side of rear back addition, and replacement of existing doors with a new window to the rear of proposed bedroom 5 at basement level; replacement of selected windows with new double glazed windows, and relocation of 2no windows to southern and eastern elevation of the main building at no. 12 Ongar Road; erection of boundary wall and gates to Sedlescombe Road elevation.

Drawing Nos: L+2321_100 A; L+2321_101 A; L+2321_102 A; L+2321_103 A;
L+2321_104 A; L+2321_105 A; L+2321_200 A; L+2321_201 A;
L+2321_202 A; L+2321_300 A; L+2321_301 A; L+2321_302 A; 1787
15 207; Flood Risk Assessment

Particulars of Decision:

Full planning permission granted subject to the following condition(s):

Director of Planning and Property
Economy Department: Joanne Woodward

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

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

- 2 The development hereby permitted shall be carried out in complete accordance with the approved plans and drawings listed in this decision notice, other than where those details are altered pursuant to the conditions of this planning permission.

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

- 3 The development hereby permitted shall not commence until particulars and samples of materials to be used in all external faces of the building, and all surface treatments, have been submitted and approved in writing by the Council. The development shall be carried out in accordance with such details as have been approved.

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

- 4 Other than the area shown as a terrace on the approved plans, no roof or part of the extension hereby approved shall be converted into or used as a terrace or other open amenity space. No alterations shall be carried out; nor planters or other chattels placed on the remaining roof. No railings or other means of enclosure shall be erected around the remaining roof and no alterations shall be carried out to the property to form an access onto this roof.

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

- 5 No water tanks, water tank enclosures or other structures shall be erected upon the flat roof of the extensions hereby permitted.

It is considered that such structures would seriously detract from the appearance of the building, contrary to Policies DC1, DC4 and DC8 of the Local Plan (2018).

- 6 The development shall be carried out and completed in full accordance with the details contained within the approved revised Flood Risk Assessment (dated October 2023). No part of the development shall be used or occupied until all flood prevention and mitigation measures have been installed in accordance with the submitted details and the development shall be permanently retained in this form and maintained as necessary thereafter.

To limit the impact on flood risk and mitigate the susceptibility of the development to flooding in accordance with Policies CC2, CC3 and CC4 of the Local Plan (2018).

- 7 The parapet walls around the hereby approved roof terrace shall be installed prior to first use of the roof terrace and shall be maintained in perpetuity as shown on the approved drawings.

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

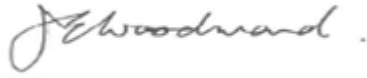
Reason(s) for granting planning permission:

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

For your information:

- 1) In determining this application, the local planning authority has worked in a pro-active and positive manner with the applicant to foster the delivery of sustainable development, in accordance with the requirements of paragraph 38 of the National Planning Policy Framework (2023).
- 2) Potentially contaminative land uses (past or present) have been identified at, and or, near to this site. The applicant is advised to contact the Council should any unexpected staining or malodours be encountered during the redevelopment either on or within floor/ground materials.
- 3) If the alterations include integration of new water using fixtures/fittings, then these should be water efficient ones to comply with the requirements of Local Plan Policies CC3 and CC4 (2018).
- 4) Whilst each application is assessed based on its own merits and the facts of the case, officers recognise that the implementation of the scheme resulting from this permission may have implications preventing the full implementation of consent No. 2022/00536/FUL (approved 10 August 2023). The applicant is advised to fully consider this, and whether a revised combined proposal may be required.
- 5) During the construction phase, no digging, or storing or positioning of any structures, machinery, equipment, materials or spoil must take place -
 - (a) underneath the canopy of any trees which are to be keptor

(b) within the root protection area (as defined by paragraph 5.2.2 of British Standard BS5837: 2012).



Joanne Woodward, Director of Planning and Property, Economy Department
Duly authorised by the Council to sign this notice.

Notes:

This decision is a planning permission under Part III of the Town and Country Planning Act 1990 only. It must not be taken as implying that the Council will grant any other consent, permission or approval that may be necessary in connection with the development, whether under any other statutory powers or in any other capacity.

Refer to the Statement of Applicants' Rights and general information enclosed.

**LONDON BOROUGH OF HAMMERSMITH AND FULHAM
TOWN AND COUNTRY PLANNING ACT 1990**

STATEMENT OF APPLICANTS' RIGHTS

arising from the grant of planning permission subject to conditions

- 1** An applicant aggrieved by the accompanying decision may appeal to the Secretary of State in accordance with Section 78 of the Town and Country Planning Act 1990. An appeal must be made by Notice served within six months of the date of this notice.

The Secretary of State has the power to allow a longer period for the giving of notice of appeal but will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the Development Order and any Direction given under the Order.

- 2** If permission to develop land granted subject to conditions, whether by the local planning authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state, and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which had been or would be permitted, then a Purchase Notice may be served on the Council of the London Borough of Hammersmith and Fulham requiring that authority to purchase the owner's interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

- 3** In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused, or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 108 of the Town and Country Planning Act, 1990.

- 4** Any appeal must be made on the appropriate forms, which can be obtained by post from:
The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN
or from the Inspectorate website at: <https://www.gov.uk/appeal-planning-decision>
Telephone: **0117 372 8000**

GENERAL INFORMATION

The granting of planning permission does not relieve developers of the necessity for complying with any local Acts, the Building Regulations and general statutory provisions in force in the area, nor does it modify or affect any personal or restrictive covenants, easements etc, applying to or affecting either the land to which the permission relates or any other land or the rights of any persons or authorities (including the Council of the London Borough of Hammersmith and Fulham) entitled to the benefit thereof or holding in the property concerned in the development permitted or in any adjoining property.

The Council's Building Control Officer should be consulted at the earliest possible opportunity before commencing the development with regard to the provisions of the Building Regulations and/or other statutes.

Further, applicants are advised that the granting of planning permission does not authorise any development which may encroach upon a public highway and, in the event of such an encroachment, the Council may take such action as is appropriate to secure the removal of that part of the development which encroaches upon the public highway.

The Council's Highways and Engineering Division should be consulted as to any works proposed to, above, under or abutting any carriageway, footway or forecourt.

For all telephone enquiries please call the Council's Corporate Contact Centre on: **020 8753 1081**

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Or email us at buildingcontrol@lbhf.gov.uk

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