

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 19 September 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved Harrow Road	
Subject of Report	92C Saltram Crescent, London, W9 3JX		
Proposal	Installation of timber fence on existing rear closet wing parapet wall between Nos.90 and 92 Saltram Crescent (retrospective application).		
Agent	Debbie Flevotomou Architects		
On behalf of	Mr Gavin Murphy		
Registered Number	17/06457/FULL	Date amended/ completed	20 July 2017
Date Application Received	20 July 2017		
Historic Building Grade	Unlisted		
Conservation Area			

## 1. RECOMMENDATION

Grant conditional permission.

## 2. SUMMARY

Permission is sought for the retention of a timber fence measuring 775mm in height on the parapet wall between of the rear closet wings the application site at No.92 Saltram Crescent and No.90 Saltram Crescent. There are existing roof terraces serving the application property and the neighbouring Flat C at No.90 Saltram Crescent on the roofs of the closet wings.

Four neighbouring residents have raised objections on a range of grounds. The principal ground for objection relates to the impact of the timber fence that has been installed on residential amenity of neighbours. Five letters of support have been received.

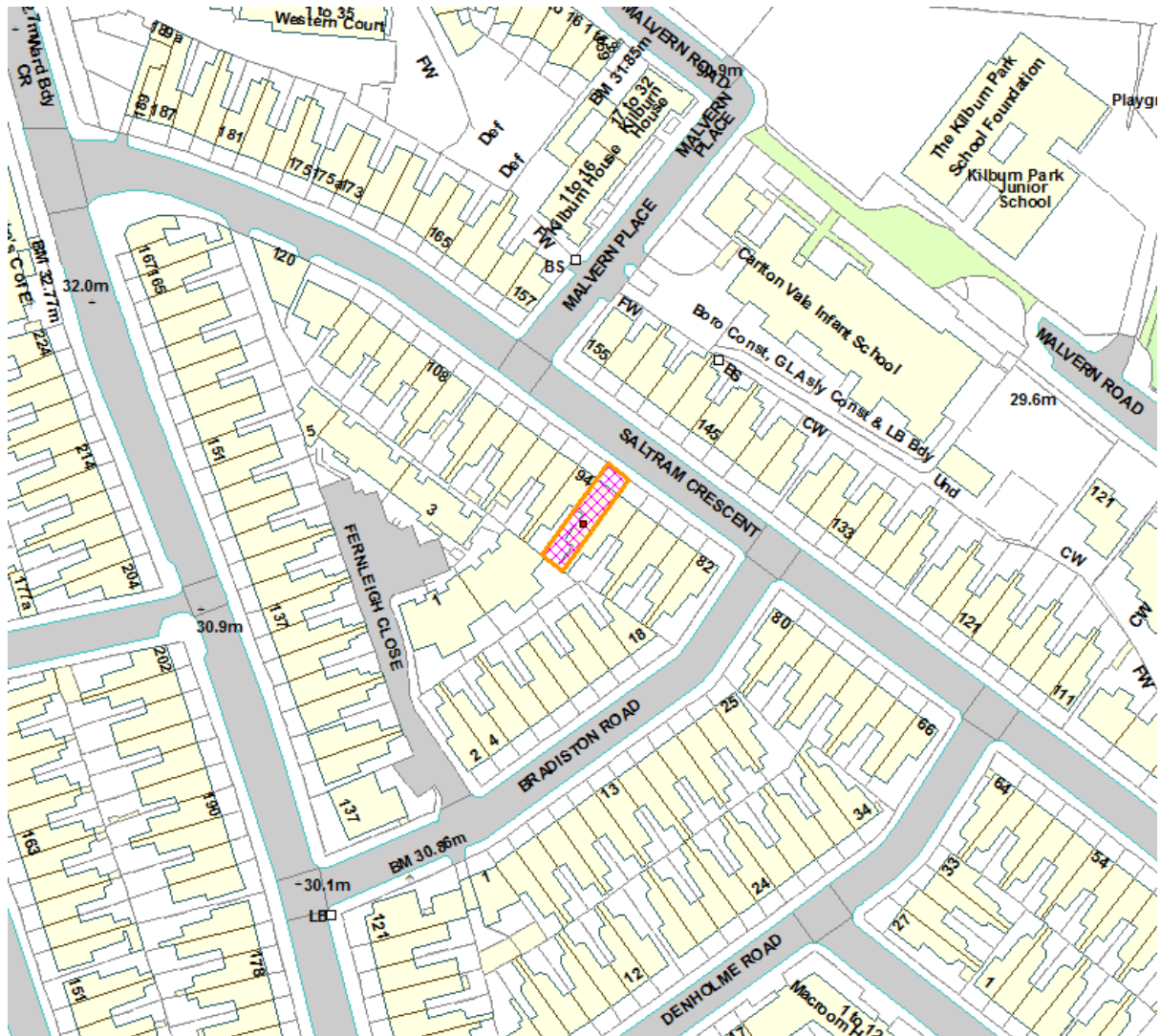
The key issues in this case are:

- The impact on the appearance of the building and this part of the City.
- The impact on the amenity of the neighbouring residents.

Subject to an amending condition requiring the height of the timber fence to be reduced and the end of the fence to be chamfered, the fence is considered to be acceptable in design and amenity terms and

would accord with relevant policies in the Unitary Development Plan (UDP) and Westminster's City Plan (the City Plan). It is therefore recommended that permission is granted subject to the conditions set out in the draft decision letter.

### 3. LOCATION PLAN



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#### 4. PHOTOGRAPHS

23 Aug 2017, 16:00:56



**View of fence from adjacent property (90C Saltram Crescent)**

23 Aug 2017, 16:22:37

**View of fence from application site (92C Saltram Crescent)**





**View of fence from Bradiston Road**

## 5. CONSULTATIONS

### NORTH PADDINGTON SOCIETY

Any response to be reported verbally.

### ADJOINING OWNERS/ OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 14.

Total No. of replies: 9.

No. of objections: 4.

No. in support: 5.

Four responses received raising objections on all or some of the following grounds:

#### Design:

- Overbearing height.
- No other fence of this height along the street.

#### Amenity:

- Loss of light.
- Loss of view.

#### Other matters:

- Blocks fire escape route.

Five letters of support make the following points:

- Increased privacy for the application site
- Increased safety for children
- Fence is in keeping with the area and well designed
- Prevents overlooking

### ADVERTISEMENT/ SITE NOTICE:

Yes.

## 6. BACKGROUND INFORMATION

### 6.1 The Application Site

The application site is an unlisted mid-terrace property located outside of a conservation area. The application site comprises Flat C, which is located on the top two floors.

### 6.2 Recent Relevant History

The timber fence that is the subject of this application has been under investigation by the Planning Enforcement Team since April 2017, with enforcement action in abeyance pending the outcome of the application. There is no other relevant planning history.

## **7. THE PROPOSAL**

Permission is sought for the retention of a timber fence measuring 775mm in height on the parapet wall between of the rear closet wings the application site at No.92 Saltram Crescent and No.90 Saltram Crescent. There are existing roof terraces serving the application property and the neighbouring Flat C at No.90 Saltram Crescent on the roofs of the closet wings either side of the proposed timber fence.

## **8. DETAILED CONSIDERATIONS**

### **8.1 Land Use**

The application does not raise any land use issues. The terrace to which the proposed timber fence relates has existed since 2003 and is therefore lawful through the passage of time.

### **8.2 Townscape and Design**

The proposed fence measures 775mm and is located on top of the existing parapet wall between the rear closet wings of Nos.90 and 92 Saltram Crescent. The parapet wall is approximately 940mm high. The fence runs the whole length of the boundary between the application site (No. 92 Saltram Crescent) and No. 90 Saltram Crescent, which is 7.1 metres. It is constructed from timber horizontal panels attached to a timber frame.

In this location, whilst it would be visible from neighbouring properties, it is not considered to cause significant harm in private views due to the existing degree of visual clutter to the rear elevation of the terrace.

The fence is though visible in public views from Bradiston Road, which runs perpendicular to the application site. To reduce the prominence of the timber fence in these public views it is recommended that an amending condition is imposed requiring the end of the fence to be chamfered/ tapered or otherwise reduced in height to reduce its prominence in public views. The applicant has agreed to the principle of amending the fence in this way to reduce its prominence.

Subject to the recommended amending condition, the proposed fence is considered to be acceptable in design terms for the reasons set out above and the objections raised on design grounds cannot be supported as grounds on which to withhold permission. Accordingly the proposal would accord with Policies DES 1 and DES 5 in the UDP and Policies S25 and S28 of the City Plan.

### **8.3 Residential Amenity**

The proposed timber fence measures 775mm and therefore the overall height of the boundary treatment, in combination with the parapet wall, is 1.72 metres. To the south and west side of the terrace, there is a timber fencing already in situ which measures 1.31 metres in height.

Objections have been received on amenity grounds, principally on the basis of loss of light and loss of view.

In terms of loss of light, given the location of the fence it is visible from the neighbouring flat at No.90 and from its roof terrace, which abuts the fence. However, the degree of light loss would be less than significant given the otherwise open aspect from the rear windows of the flat and the roof terrace. Similarly, the fence does not result in a significantly increased sense of enclosure to the neighbouring flat at No.90 as the aspect from the rear windows and terrace remain largely unobstructed. Furthermore, the window and door closest to the fence serve a hallway where the stairs to the upper floor are located. As this is a non-habitable room it could be offered only very limited protection in any event.

In terms of overlooking the fence will not result in an increase in overlooking and would reduce the previous mutual overlooking between the respective roof terraces.

The impact on private views from neighbouring properties is not a ground on which planning permission can reasonably be withheld.

As such, the proposed retention of the timber fence on the parapet wall is considered acceptable in amenity terms and would accord with Policy ENV 13 in the UDP and Policy S29 in the City Plan.

#### **8.4 Transportation/Parking**

Not applicable.

#### **8.5 Economic Considerations**

No economic considerations are applicable for a development of this size

#### **8.6 Access**

The proposal does not have any adverse access implications.

#### **8.7 Other UDP/ Westminster Policy Considerations**

None relevant.

#### **8.8 London Plan**

This application does not raise any strategic issues.

#### **8.9 National Policy/Guidance Considerations**

The City Plan and UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

#### **8.10 Planning Obligations**

Not applicable.



### 8.11 Environmental Impact Assessment

An Environmental Impact Assessment is not required for a development of this scale.

### 8.12 Other Issues

Not applicable.

## 9. BACKGROUND PAPERS

1. Application form.
2. Email from occupier of Flat C, 90 Saltram Crescent dated 11 August 2017.
3. Email from occupier of 90 Saltram Crescent dated 12 August 2017.
4. Email from occupier of 2 Bayham Abbey Farm Buildings, Little Bayham, dated 12 August 2017.
5. Email from occupier of Wilberforce House, Station Road dated 15 August 2017.
6. Email from occupier of Flat D, 2 Fernleigh Close dated 22 August 2017.
7. Email from occupier of Flat A, 18 Barry Road dated 22 August 2017.
8. Email from occupier of 92B Saltram Crescent dated 22 August 2017.
9. Email from occupier of 92C Saltram Crescent dated 23 August 2017.
10. Email from occupier of 92C Saltram Crescent dated 23 August 2017.

(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: SAM GERSTEIN BY EMAIL AT [sgerstein@westminster.gov.uk](mailto:sgerstein@westminster.gov.uk)

10. KEY DRAWINGS

Existing Wall to divide the properties

Ground Floor has not been surveyed

0m 5m 10m

Notes: 1. Partitions shown only indicate 2. Drawing must not be scaled	Description	Flat C.92 Salttram Crescent W9 3JX		Clients: Mr Gavin Murphy Architects: Debbie Flavourmou Architects	
		DATE 10/06/2017	SCALE 1:50 @ A2	PROJECT no 1117	TITLE Existing Side Ele

Existing Side Elevation

New Fence

Existing Wall to divide the properties

Ground Floor has not been surveyed

0m 5m 10m

Notes: 1. Partitions shown only indicate 2. Drawing must not be scaled	Description	Flat C.92 Salttram Crescent W9 3JX		Clients: Mr Gavin Murphy Architects: Debbie Flavourmou Architects	
		DATE 10/06/2017	SCALE 1:50 @ A2	PROJECT no 1117	TITLE Proposed Side Ele

Proposed Side Elevation

**DRAFT DECISION LETTER**

**Address:** 92C Saltram Crescent, London, W9 3JX

**Proposal:** Installation of timber fence on existing rear closet wing parapet wall between Nos.90 and 92 Saltram Crescent (retrospective application).

**Reference:** 17/06457/FULL

**Plan Nos:** Site Location Plan, 01-00, 02-00, 04-00, 06-00, 03-00, 05-00, 07-00 and Design and Access Statement.

**Case Officer:** Frederica Cooney

**Direct Tel. No.** 020 7641 7802

**Recommended Condition(s) and Reason(s)**

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

**Reason:**

For the avoidance of doubt and in the interests of proper planning.

- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:

- o between 08.00 and 18.00 Monday to Friday;
- o between 08.00 and 13.00 on Saturday; and
- o not at all on Sundays, bank holidays and public holidays.

You must carry out piling, excavation and demolition work only:

- o between 08.00 and 18.00 Monday to Friday; and
- o not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

**Reason:**

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission. (C26AA)

**Reason:**

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 4 Within 2 months of the date of this decision letter you must apply to us for approval of amended drawings showing the end of the timber fence where it meets the rear elevation of the closet wing chamfered or tapered to reduce its prominence in views from Bradiston Road. You must then alter the fence in accordance with the amended drawings that we approve within 4 month of the date of this decision letter. Thereafter you must maintain the timber fence in accordance with the amended drawings that we approve pursuant to this condition.

**Reason:**

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

**Informative(s):**

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.