

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 19 February 2019	Classification For General Release	
Report of Executive Director Growth Planning and Housing		Ward(s) involved Bayswater	
Subject of Report	8 Monmouth Road, London, W2 5SB		
Proposal	Erection of rear boundary wall.		
Agent	Aspect Property Services Limited		
On behalf of	Mr Charles Payne		
Registered Number	18/05450/FULL	Date amended/ completed	12 November 2018
Date Application Received	28 June 2018		
Historic Building Grade	Unlisted		
Conservation Area	Westbourne		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

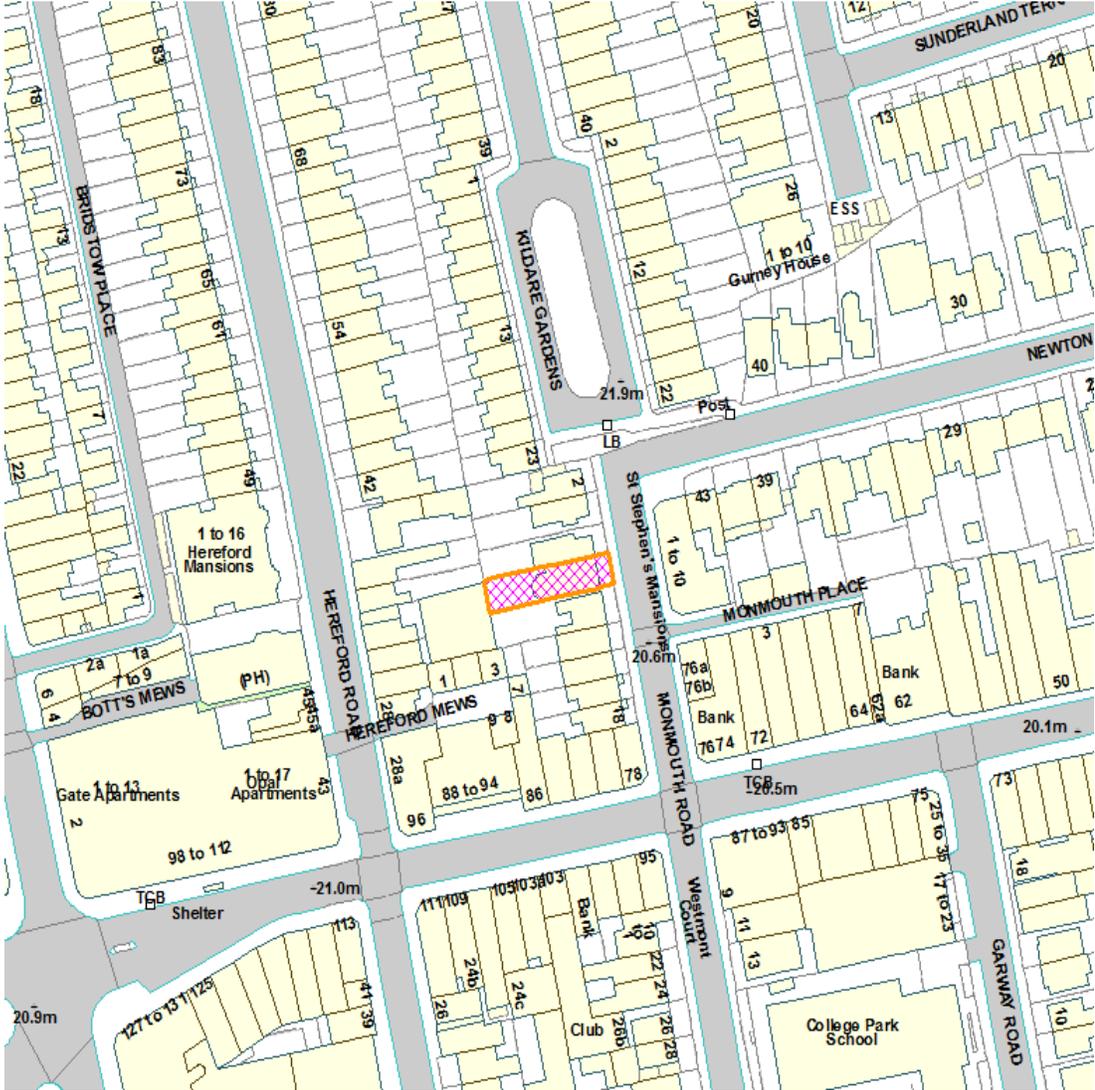
The application site is one half of a three storey unlisted semi-detached villa within the Westbourne Conservation Area. Planning permission is sought for the erection of a 2.5m high rear boundary wall. The applicant is a relative of Councillor Payne.

The key issues in this case are:

- The impact of the proposed wall on the character and appearance of the Westbourne Conservation Area.
- The impact of the proposal on the amenity of neighbouring residents.

The proposal is considered to be acceptable in design and amenity terms and would accord with Policies S25, S28 and S29 in Westminster's City Plan (November 2016) (the City Plan) and Policies ENV13, DES 1, DES 5, DES 7 and DES 9 in the Unitary Development Plan (January 2007) (the UDP).

3. LOCATION PLAN



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4. PHOTOGRAPHS



Views of adjacent rear boundaries at Nos.6 and 10 Monmouth Road in context with the cleared site to the rear at Nos.34-36 Hereford Road.

5. CONSULTATIONS

BAYSWATER RESIDENTS ASSOCIATION

Any response to be reported verbally

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 7.

Total No. of replies: 1.

No. of objections: 1.

No. in support: 0.

One email received raising objection on the grounds that the foundations of the proposed wall would encroach 200mm onto the site behind (34-36 Hereford Road) and that this presents structural implications.

ADVERTISEMENT/ SITE NOTICE

Yes.

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site is one half of a three storey unlisted 1840s semi-detached villa within the Westbourne Conservation Area. The property used as a single dwellinghouse and is undergoing refurbishment at present pursuant to the permissions granted in recent years (see Section 6.2).

6.2 Recent Relevant History

16/05882/FULL

Erection of a single-storey rear extension at first floor level.

Application Granted 19 December 2016

16/04450/FULL

Basement with front and rear lightwells and alterations to front elevation, single storey rear extension to replace existing conservatory.

Application Refused 11 July 2016

An appeal was allowed on 1 March 2017.

16/10459/FULL

Erection of second floor front infill extension.

Application Refused 8 December 2016

An appeal was dismissed on 1 March 2017.

17/03961/FULL

Erection of second floor front infill extension.

Application Refused 21 June 2017

An appeal was dismissed on 20 December 2017.

18/04040/FULL

Erection of single storey side/ front infill extension at second floor level and installation of glazed balustrade at rear of third floor roof.

Application Refused 4 September 2018

7. THE PROPOSAL

Permission is sought for erection of a 2.5 metre high boundary wall at the end of the rear garden of the property. No boundary currently exists as the building which previously formed this boundary has been demolished as part of the implementation of a planning permission to redevelop the site at Nos.34-36 Hereford Road. The height of the proposed wall has been amended to reduce its height during the course of the application.

8. DETAILED CONSIDERATIONS

8.1 Land Use

No land use considerations are relevant to the determination of the application.

8.2 Townscape and Design

Although relatively high for a garden wall at 2.5m in height, the proposed wall replaces a much larger wall which comprised the rear wall of a now demolished warehouse structure that formally stood to the rear of the site at Nos.34-36 Hereford Road. The adjacent property (No.10 Monmouth Road) has a garden room at the rear of their garden, the rear wall of the garden room, which forms the rear boundary of that property with Nos.34-36 Hereford Road is approximately 3m in height.

Set in the context, the proposed wall is not considered to be excessive in height and it would be appropriately detailed in terms of its detailed design. A condition is recommended to ensure the brickwork used matches the brickwork used in the construction of the adjacent boundary wall between Nos.6 and 8 Monmouth Road. Accordingly, the proposed wall is acceptable in design terms and would comply with Policies S25 and S28 in the City Plan and Policies DES 1, DES 5, DES 7 and DES9 in the UDP.

8.3 Residential Amenity

Planning permission was granted in 2012 for the redevelopment of the site to the rear of the application site at Nos.34-36 Hereford Road. The development, which has been implemented but not substantially completed at the current time, includes two new dwellinghouses to the rear of the site abutting the rear boundary of the properties in Monmouth Road. The proposed rear wall would be 0.3m higher than wall enclosing the rear courtyard of one of the new dwellinghouses on the site at Nos.34-36 Hereford Road; however, it would be lower than a translucent structural glass screen which has been approved above the masonry wall. Consequently, It is not considered that this would result in any significant reduction on residential amenity to the new dwellinghouse

on the adjacent site in terms of increased enclosure or loss of light. As such, the proposed wall is acceptable in amenity terms and would accord with Policy ENV13 in the UDP and S29 in the City Plan.

8.4 Transportation/ Parking

The proposal does not raise any transportation or parking issues.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size.

8.6 Access

The proposal does not raise any access issues.

8.7 Other UDP/Westminster Policy Considerations

Not applicable

8.8 Westminster City Plan

The City Council is currently working on a complete review of its City Plan. Informal consultation on the first draft of Westminster's City Plan 2019-2040 started on Monday 12 November 2018 and closed on Friday 21 December 2018. Following this informal consultation, the representations received are being considered and the draft plan will be revised in advance of formal consultation under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012. Given the very early stage of the consultation process and having regard to the tests set out in para. 48 of the NPPF, the policies of the emerging draft City Plan are given little to no weight at the present time.

8.9 Neighbourhood Plans

There is not currently a neighbourhood plan in place for the area of the City in which the application site is located.

8.10 London Plan

The application does not raise any strategic issues.

8.11 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.

8.12 Planning Obligations

Planning obligations are not relevant in the determination of this application.

8.13 Environmental Impact Assessment

The application is of insufficient scale to require an environmental impact assessment.

8.14 Other Issues

One objection has been received on the grounds that the wall foundation encroaches 200mm onto the site behind (34-36 Hereford Road) and that this raises structural implications for the carrying out of the continued redevelopment of the adjoining site. The applicant has confirmed that the wall itself would be wholly within the curtilage of No.8 Monmouth Road, although the 'toe' of the foundations would extend 200mm beyond the boundary line, as suggested by the objector. The foundations would though be located within the red line shown on the site location plan and the appropriate notice of the application was served on adjacent land owners under Certificate B of the application form prior to submission of the application.

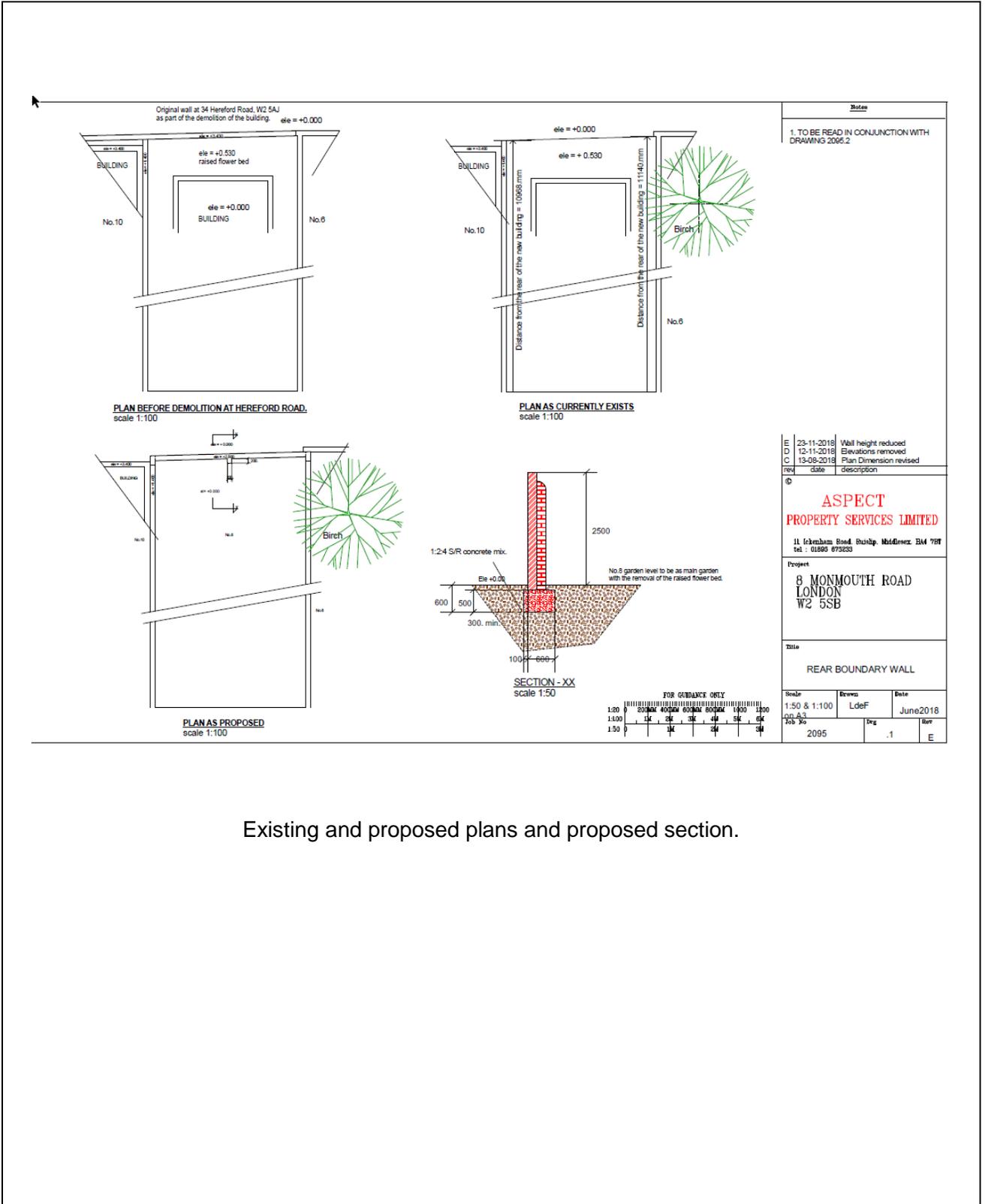
The incursion of the foundations by 200mm in to the adjoining site, below ground level, does not though raise any considerations that render the proposed wall unacceptable in planning terms. Whilst the foundations proposed would necessitate them being cut back or structurally altered in some form in future, to accommodate the approved redevelopment of the site at Nos.34-36 Hereford Road, this does not justify withholding planning permission; rather, it is a private matter for resolution between the respective land owners.

The relatively simple wall construction is likely to be able to be built without any detrimental structural implications for surrounding properties.

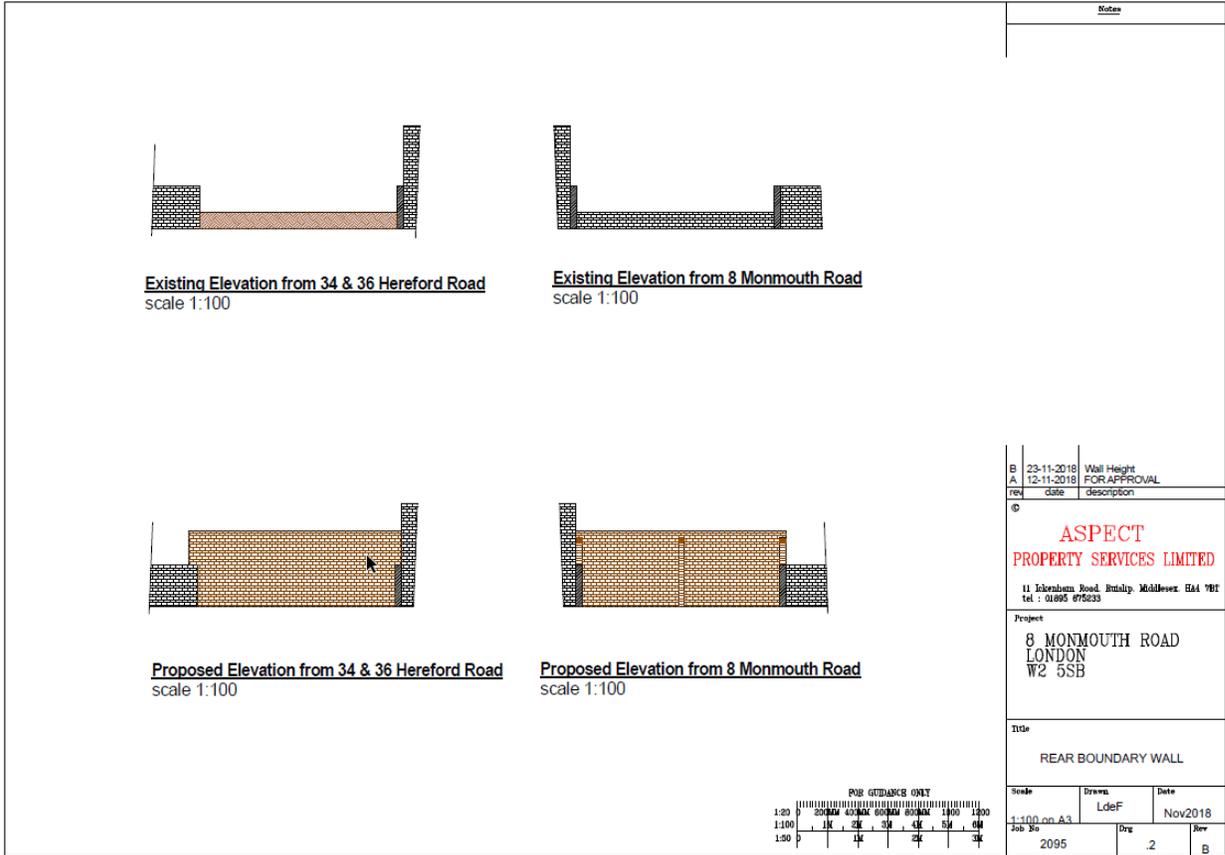
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: OLIVER GIBSON BY EMAIL AT ogibson@westminster.gov.uk

9. KEY DRAWINGS



Existing and proposed plans and proposed section.



Existing and proposed elevations.

DRAFT DECISION LETTER

Address: 8 Monmouth Road, London, W2 5SB,

Proposal: Erection of rear boundary wall.

Plan Nos: Site location plan, 2095.1 Rev.E and 2095.2 Rev.B.

Case Officer: Richard Langston

Direct Tel. No. 020 7641 7923

Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:

- 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 residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 The facing brickwork used in the construction of the boundary wall shall match brickwork to the existing boundary wall between Nos.6 and 8 Monmouth Road in terms of its colour, texture, face bond and pointing. (C26AA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Westbourne Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6

or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

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, neighbourhood plan (where relevant), 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.