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| <b>CITY OF WESTMINSTER</b>                 |   |  |                |
| <b>PLANNING APPLICATIONS SUB COMMITTEE</b> | <b>Date</b><br>25 September 2018  | <b>Classification</b><br>For General Release |                |
| <b>Report of</b><br>Director of Planning   |   | <b>Ward(s) involved</b><br>Harrow Road       |                |
| <b>Subject of Report</b>                   | <b>Land Adjacent To 120 Saltram Crescent, London, w9 ,</b>  |  |                |
| <b>Proposal</b>                            | Removal of side projection of 120 Saltram Crescent and the erection of a two storey single dwellinghouse (Class C3) with associated excavation and alterations. |  |                |
| <b>Agent</b>                               | Mr Donald Shearer   |  |                |
| <b>On behalf of</b>                        | Mr Wertheimer   |  |                |
| <b>Registered Number</b>                   | 18/01592/FULL   | <b>Date amended/ completed</b>               | 12 August 2018 |
| <b>Date Application Received</b>           | 23 February 2018  |  |                |
| <b>Historic Building Grade</b>             | Unlisted  |  |                |
| <b>Conservation Area</b>                   | Outside a conservation area   |  |                |

## 1. RECOMMENDATION

Grant conditional permission.

## 2. SUMMARY

Permission was granted in 2014 and early 2018 to redevelop this thin strip of land to create a new 2 bedroom house with a new building comprising lower ground (partly excavated) and a ground floor levels. This latest application is for a similar development to that previously approved, but also includes erecting part of the proposed house on part of site at No.120 Saltram Crescent, as well as the land adjacent to No.120. This allows the provision of a larger three bedroom house than previously approved.

The scheme has been amended during the course of the application to reduce the height of a zinc clad mono-pitch roof associated with a staircase enclosure adjacent to the rear gardens of the neighbouring properties in Fernhead Road. This amendment has been subject to further consultation with neighbouring occupiers (see Section 5.2).

The key issues in this case are:

- The acceptability of the proposed house in design terms.

- The impact on the amenity of neighbouring residents, particularly those at No's 155-165 Fernhead Road.
- The impact on the availability of on-street residents parking in the vicinity of the site.

The proposed development, although larger in terms of footprint, accords with the height of the previously approved scheme and therefore is considered acceptable in terms of land use, design, amenity and transportation terms. The proposals would accord with the relevant policies in the Unitary Development Plan (January 2007) ('the UDP') and the City Plan (November 2016). As such, it is recommended that conditional permission is granted.

**3. LOCATION PLAN**



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4. PHOTOGRAPHS

View of the application site from Saltram Crescent.



View of the application site from the rear of 120 Saltram Crescent.



View of the application site from rear of properties on Fernhead Road.



View of the side elevation of 120 Saltram Crescent from a rear garden in Fernhead Road.



## 5. CONSULTATIONS

### 5.1 Consultation on Initially Submitted Scheme (May 2018)

#### NORTH PADDINGTON SOCIETY

Any response to be reported verbally.

#### ARBORICULTURAL MANAGER

The proposal could affect a street tree and also a tree in the rear garden of No 157 Fernhead Road. No objections subject to conditions.

#### BUILDING CONTROL

Advice that each bedroom must be provided with an alternative means of escape in accordance with Building Regulations, or alternatively a protected stair serving all the bedrooms should be provided. The large amount of glazing may affect compliance with Part L of the Building Regulations.

#### CLEANSING MANAGER

Although bin store indicated on ground floor plan, the drawings are not in line with the Council's recycling and waste storage guidance and request a condition to reserve further details.

#### HIGHWAYS PLANNING MANAGER

Objection. No parking is being provided contrary to Policy TRANS 23. No cycle parking is shown and this will need to be secured by condition.

#### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 32.

Total no. of replies: 6.

No. of objections: 4.

No. of neutrals: 1.

No of supports: 1.

Four emails received raising objection on all or some of the following grounds::

#### Design

- No objections to the principle of the development provided do not project higher than the current parapet of 120 Saltram Crescent ground floor front block projection.
- The proposed treatment of the light well recess could be improved and better boundary treatment with a higher metal fence with plants.

#### Amenity

- The height of the new house has crept higher and higher and resulting in more enclosure and blocking the views of residents in Fernhead Road.
- This proposal is higher than previous approval.
- Further loss of light and sunshine to neighbouring properties.
- Maximum height should be restricted to the height of the garden wall on Fernhead Road
- Many residents will be disadvantaged without any social benefit.

- Ground floor roof could be used as a patio and result in noise and overlooking to neighbours.
- At 120 Saltram Crescent an illegal patio was created where an approved sedum roof was proposed and concerned that this could happen again.

#### Other Matters

- The developer has a history at 120 Saltram Crescent of not abiding by planning approved drawings and conditions and need to be held to account.
- The excavation could topple the rear garden walls on Fernhead Road

The one email of support comments that the development is welcomed providing it is sympathetic to the surrounding area as the current site is used as rubbish tip and is an eyesore. The one neutral comment received notes that no objection is raised to the principle of the development, but would not like the upper floors to be higher than ground floor parapet at 120 Saltram Crescent. The lightwell would appear uncharacteristic.

#### ADVERTISEMENT/ SITE NOTICE

Yes.

### 5.2 Re-consultation on Revised Scheme – Reduce the Height of Zinc Clad Roof, Introduce Parapet to Screen Green Roof and Amendments to Front Elevations (August 2018)

#### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. consulted: 32.

Total no. of replies: 0.

## 6. BACKGROUND INFORMATION

### 6.1 The Application Site

The application site comprises an unused service road accessed from the southern side of Saltram Crescent close to its junction with Fernhead Road..This site is long and narrow with a 0.5 metre slope down from Saltram Crescent towards the rear of the site.

The buildings in Saltram Crescent and the surrounding streets are typically three storey Victorian terraces of a uniform nature with most be understood to be sub-divided into flats. However, the immediately adjoining property at No.120 Saltram Crescent is a modern dwellinghouse faced in white render.

The application site is outside of a conservation area. It is located within the North Westminster Economic Development Area (NWEDA).

### 6.2 Recent Planning History

#### 17/09277/FULL

Erection of a new two storey single family dwellinghouse (Class C3) with associated excavation and alterations.

Application Permitted 12 February 2018

14/00606/FULL

Erection of a new two storey three bedroom single family dwelling house with garden.  
Application Permitted 22 July 2014

The above application (14/00606/FULL) was considered by approved by the Planning Applications Sub-Committee following a Sub-Committee site visit. A copy of the committee report for the above application is included in the background papers for information.

## 7. THE PROPOSAL

Planning permission is sought for the erection of a two storey dwellinghouse. The proposed building would to occupy a portion of the single storey part of the adjoining existing building of 120 Saltram Crescent. The current proposal adopts some important elements of the scheme previously approved on 5 February 2018 (RN: 17/09277/FULL); namely, the building is proposed to be a single dwellinghouse with three bedrooms that would be two storeys in height.

The originally submitted drawings associated with this application proposed a mono-pitched roof for a portion of the main roof level. This element of the scheme attracted objections from neighbours who expressed concerns that it seemed that the development was increasingly higher (relative to previously approved schemes) and that it would result in an increased sense of enclosure. The scheme was amended during the course of the application to omit this element of the originally submitted scheme to address the concerns expressed by neighbours.

## 8. DETAILED CONSIDERATIONS

### 8.1 Land Use

The creation of a 3 bedroom dwellinghouse would accord with Policy H3 in the UDP and Policies S14 in the City Plan. The proposed dwellinghouse would have a floor area of approximately 200m<sup>2</sup> and this would exceed the requirement of the Government's Nationally prescribed Technical Housing Standards, for 3 bedroom units to have a floor are of at least 102m<sup>2</sup>. The proposed dwellinghouse would have a small front garden and lightwell as well as a rear garden space and is therefore well served in terms of external amenity space.

The proposal would remove a portion of land from the neighbouring dwellinghouse at No.120 Saltram Crescent, so that it can be incorporated into the application site. This would reduce the existing dwellinghouse at No.120 from a 3 bedroom dwellinghouse to a 2 bedroom dwellinghouse.

The loss of family sized units is considered unacceptable in five areas in the City, as set out in Policy H5 in the UDP. However, the application site is outside of these five areas. Given this and as the proposed development would maintain a three bedroom dwellinghouse on the land adjacent to No.120, rather than at No.120 itself as at present, the scheme would accord with Policy H5 in the UDP and Policy S15 in the City Plan.



## 8.2 Townscape and Design

The proposed dwellinghouse would be similar in design terms to the two previously approved dwellinghouses on this site, except for two key differences. These two differences are that this application seeks to insert an entrance doorway into the current front elevation of No.120 Saltram Crescent and that there would be an increased bulk associated with northwest facing elevation adjacent to the boundary with No.165 Fernhead Road, projecting approximately 3.6m further forward than its previously approved location.

The previously approved building was accessed from steps adjacent to the footway of Saltram Crescent down into a lightwell, whilst this application proposes to insert an entrance doorway into the retained front elevation, which currently forms a part of No.120 Saltram Crescent. The new doorway proposed would be recessed from the front building line to form a mirror image of the existing entrance and adjacent fenestration to No.120 Saltram Crescent. This articulation of two symmetrical doorways and paired windows is considered to allow the new dwellinghouse to integrate successfully with the adjoining building.

There are some areas of blank render to the front façade and the windows are not symmetrically arranged; however, this results partly from the awkward form of the site and the desire to have the western half of the front elevation angled away from the public highway provide the proposed front bedroom with greater privacy. Despite this, the proposed building would be consistent with the architectural approach to the existing dwellinghouse at No.120 and consequently it would appear as a coherently designed non-matching pair of dwellings when seen from Saltram Crescent. Behind the front façade the building fills the full width of this narrow site abutting but walls that form its side boundaries.

To the rear elevation, it is proposed to provide a set of bi-folding glazed doors to garden level across much of the width of the elevation and a window to the floor above of more traditional proportions. Given the bi-fold doors are discretely located behind boundary walls they are not considered to detract from the appearance of the building.

Associated with the top of the elevation that abuts the side elevation that forms the rear garden wall of Nos.155 to 167 Fernhead Road, would be a long but narrow pitched glazed roof facing towards the properties in Fernhead Road. Though more striking in design, these features are considered to be well integrated into the design of this building and would be seen in context with the higher and white rendered bulk of the adjoining building at 120 Saltram Crescent. The flat green roof is welcomed from both a design and biodiversity perspective.

Overall therefore, it is considered that the proposed building is acceptable in design terms and appropriately responds to the site constraints and its immediate architectural context. Furthermore, given its limited height, the proposed building would adopt a low profile resulting in not being visually dominant in the street scene. The proposed scheme is therefore considered to be acceptable in design terms and in accordance with Policies DES 1 and DES 4 in the UDP and Policy S28 in the City Plan.

### 8.3 Residential Amenity

Four objections have received from neighbours in response to consultation on the originally submitted scheme. These objections specifically raise concern in relation to the scale of the building being increased from the previously approved scheme and how this would result in an increased sense of enclosure and harmful lightspill as a result of the proposed rooflights. Objections were also raised on grounds that the use of the roof of the proposed building for sitting out on could cause overlooking. As set out earlier in this report, the scheme has been amended during the course of the application to seek to address the concerns raised regarding the increased bulk of the current scheme, by removing the initially proposed pitched roof at main roof level. The amended design has been the subject of re-consultation with neighbours, in response to which no objections have been received to date.

The scheme previously approved on 5 February 2018 (RN: 17/09277/FULL) was found to be acceptable in amenity terms. Therefore, the focus of the assessment of the current application must be on the amendments in the current scheme to the previously approved scheme. This is principally the increased bulk proposed building adjacent to the rear boundary with 165 Fernhead Road. This additional bulk would project approximately 1.2m above the height of the existing boundary wall. As a result of this increase in height adjacent to the rear boundary of No.165 it is considered that there would be some increase in enclosure caused to the occupiers of that property. However, as upper part of the proposed building would be approximately 2 metres from the boundary, and as lower part of the building that would be immediately behind the boundary would be the same height as that of the existing boundary wall, it is not considered that the increased sense of enclosure that would be caused by this latest scheme would be so significant so as to warrant withholding permission.

The other parts of the proposed building adjacent to properties in Fernhead Road would mirror the bulk and general form of the extant scheme approved in February 2018 and it is not considered that the scheme would result in an unacceptable level of daylight or sunlight loss, overlooking or lightspill.

The use of the roofs of the proposed building as a terrace or for sitting out on would cause significant overlooking to neighbouring properties in Fernhead Road and therefore a condition is recommended to prevent the use of the roofs of the building for these purposes.

Given the above, the proposed development is considered to accord with Policies ENV6 and ENV13 in the UDP and Policies S29 and S32 in the City Plan and is therefore acceptable in amenity terms.

### 8.4 Transportation/ Parking

The Highways Planning Manager has raised objection to the proposed development on grounds that no off-street parking is proposed. However, given only one residential unit would be created and the proximity of public transport links, it is not considered that permission could reasonably be withheld on parking grounds. It is also noted that the

lack of on-street parking was not a ground for refusal for the scheme approved in February 2018, which also did not provide off-street parking.

The Highways Planning Manager requests that the existing dropped curb in the pavement to the front of the site, which will be made redundant by the carrying out of the proposed development, is removed at the applicant's own cost. The removal of the existing drop curb is considered to be necessary and reasonable in order to maintain the pavement and safeguard pedestrian movement along the public highway outside the site in accordance with Policy S41 in the City Plan. A condition is therefore recommended to secure these highway works outside the front of the site. A further condition is recommended to secure the provision of cycle parking within the site.

A waste store is proposed adjacent to the front entrance; however, the Cleansing Manager is concerned that it is not of sufficient size to accommodate the waste and recycling storage that would be required and that the store would not accord with the Council's guidance for waste storage. As such, a condition is recommended to secure details of a revised bin store that is of sufficient size to accommodate the needs of the proposed dwellinghouse, in accordance with Policy ENV12 in the UDP.

## **8.5 Economic Considerations**

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

## **8.6 Access**

Whilst the scheme provides level access from the highway, within the dwelling, due to the constraints of the site, it would have stepped access to the main habitable areas. Given the building is proposed to be a private dwelling, this arrangement is not considered to be objectionable.

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

### **8.7.1 Trees Impact**

The Arboricultural Manager has not raised objection, but has requested that the impact on street trees and a tree to the rear of No.157 Fernhead Road be considered. The applicant has provided additional information to assess the impact on these trees during the course of the application and this identifies that the development would have "no detrimental effects to the street tree" and that pruning of the tree in the rear of 157 Fernhead Road could be carried out in accordance with British Standards 3998:2010 to ensure it is not adversely impacted. On this basis, and as the trees are situated outside of conservation area and not protected by Tree Preservation Orders (TPOs), it is considered that the Arboricultural Managers initial concerns have been suitably addressed. An informative is recommended to remind the applicant that they must obtain permission from the owner of No.157 Fernhead to prune the tree in the rear garden of that property.

Other conditions sought by the Arboricultural Manager in respect of landscaping and details of the proposed green roof have been included in the draft decision letter.

## 8.7.2 Basement:

The proposed development intends to lower the level of the site by approximately 1.5 metres towards the front of the site whilst towards the rear of the site it is to be lowered by approximately 1.2m, in order to make the building be of an equal height given the sloping nature of the service road. The level of excavation to lower the ground floor of the proposed building is considered to be significant enough for the works to be assessed against Policy CM28.1 of the City Plan, which controls basement development. Policy CM28.1 is broken down in to four parts, which are assessed as follows:

### *CM28.1 Part A*

The applicant has provided a structural statement, details of geological conditions of the site and the likely method of construction as well as a signed Proforma Appendix A, which confirms the applicant's agreement to conform to the Code of Construction Practice. The site is not in a high flood risk zone and not in surface water hot spot. Additionally, the site is not in an area of archaeological significance. The works are therefore considered to be in accordance with Part A of the policy.

### *CM28.1 Part B*

The proposal includes landscaping to the front and rear of the property as well as green roof. The submitted Arboricultural Method Statement assessing the impact of the excavation on the nearby trees has been provided that states that none of the nearby trees will be harmed and will also be suitably protected during the works (see Section 8.7.1). Further details of the exact trees that are to be planted as part of the replacement landscaping are to be secured by condition. In respect of drainage matters, a large portion of the site to the rear and a smaller front garden are to be created and therefore the works will retain areas that can accommodate sustainable drainage features. Whilst the proposed building is not in in keeping with the wider area it is a modern structure of reasonable quality which responds to the challenges of the site and is therefore not considered to ham the character of the area. For these reasons the proposed scheme is considered to be compliant with Part B of the policy.

### *CM28.1 Part C*

As the application site is currently hard surfaced and is not undeveloped garden land, Part C(1), which asks that the basement must not occupy more than 50% of garden land. In this case, whilst the proposed building would exceed more than 50% of the 'garden land', as in practice this is currently a hard paved area and not landscaped, it is considered that there are exceptional circumstances in this case that justify the extent of exaction proposed. Furthermore, new garden land is being created to the front and rear of the proposed dwellinghouse and is would therefore enhance the amount of undeveloped garden land on the site relative to the existing situation. Part C(1) also requires a margin of undeveloped land around the entire boundary of the site. However, as set out earlier in this paragraph, the 'garden land' on this site is already developed by virtue of being hard paved. Consequently, as per the scheme previously approved in February 2018 (RN: 17/09277/FULL), it is not considered that in this case there is a need to provide a margin of undeveloped land around the perimeter of the site to aid drainage. For the reasons set out in this paragraph the scheme would accord with Part C of the policy when regard is had to the constraints of the site and its current condition.

*CM28.1 Part D*

The excavation proposed does not extend under the highway and therefore this part of the policy is not relevant.

**8.8 Neighbourhood Plans**

Not applicable.

**8.9 London Plan**

The application does not raise any strategic issues.

**8.10 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 (July 2018) unless stated otherwise.

**8.11 Planning Obligations**

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

The development is liable to pay the City Council and the Mayor's Community Infrastructure Levy (CIL). The additional residential floorspace that would be created as part of the application would be approximately 175m<sup>2</sup>. The site is located within an area designated as a 'Fringe' area in the Council's CIL Charging Schedule. As such, the Westminster CIL would be likely to be approximately £41,587, whilst the Mayoral CIL is likely to be approximately £12,635.

**8.12 Environmental Impact Assessment**

The proposed development is of insufficient scale to require an Environmental Impact Assessment. Where relevant the environmental impact of the development is considered in other sections of this report.

**8.13 Other Issues**

Building Control have advised that as a result of the proposed open plan layout of the dwelling, each bedroom must be provided with an alternative means of escape or a protected staircase. Concerns were also expressed about the amount of glazing proposed. However, these concerns are capable of being addressed by internal alterations and amended specification of glazing (to reduce solar gain). Consequently, these concerns are not grounds on which permission could reasonably be withheld. An informative is recommended advising the applicant of the requirements of building regulations.

Objection has been raised on grounds that the construction and excavation works may damage the brick wall that forms the rear boundary between the gardens of Nos.155 to 167 Fernhead Road and the southwest flank of the application site. However, the impact on this wall is not a ground on which permission could reasonably be withheld; rather this is a civil party wall matter between the respective property owners.

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

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| IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: OLIVER GIBSON BY EMAIL AT <a href="mailto:ogibson@westminster.gov.uk">ogibson@westminster.gov.uk</a> . |
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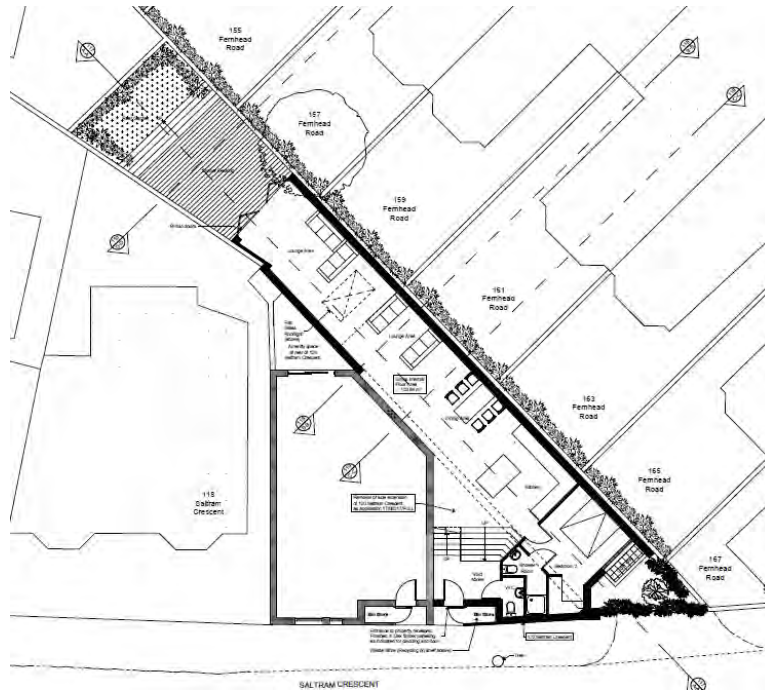
**9. KEY DRAWINGS**



APPROVED GROUND FLOOR (FEBRUARY 2018)



PROPOSED GROUND FLOOR

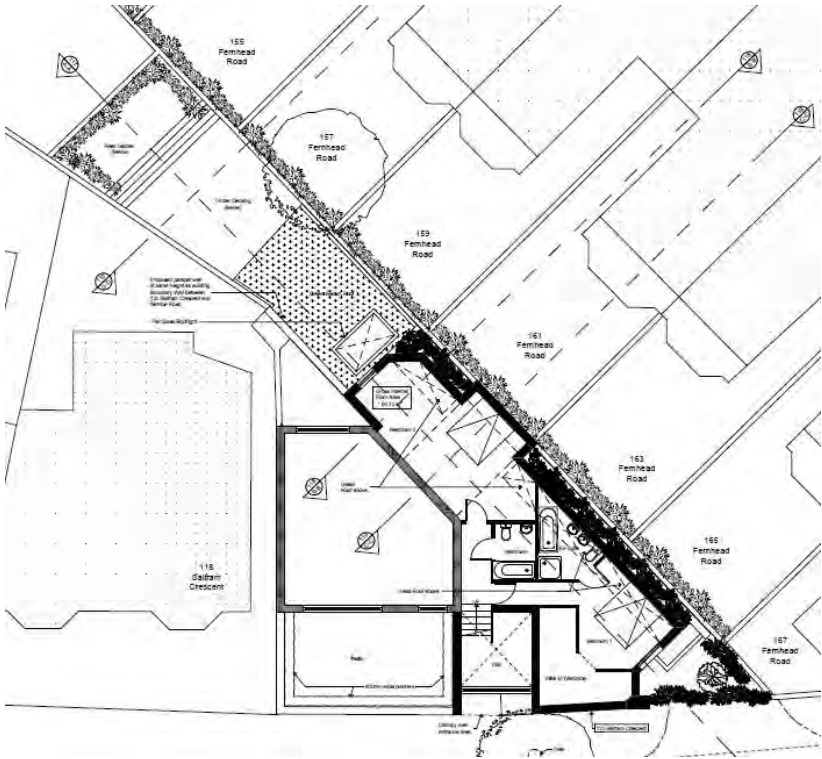




APPROVED FIRST FLOOR (FEBRUARY 2018)



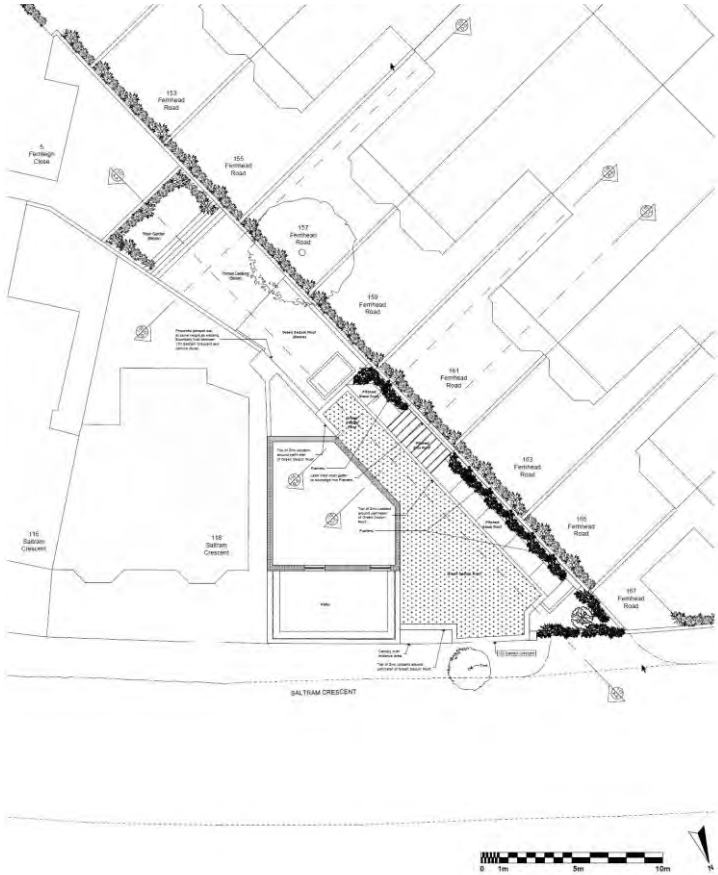
PROPOSED FIRST FLOOR



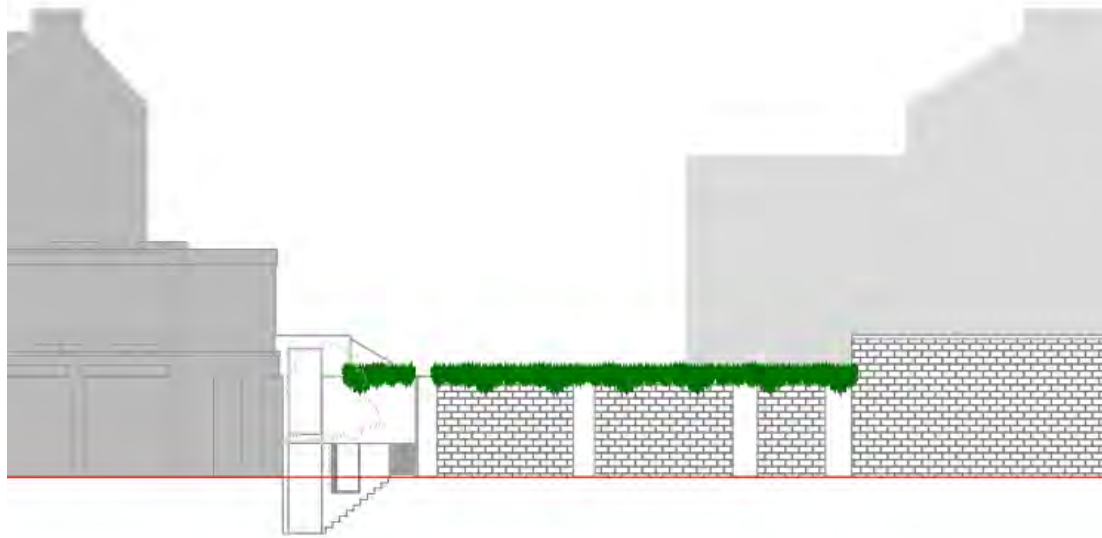
APPROVED ROOF PLAN (FBRUARY 2018)



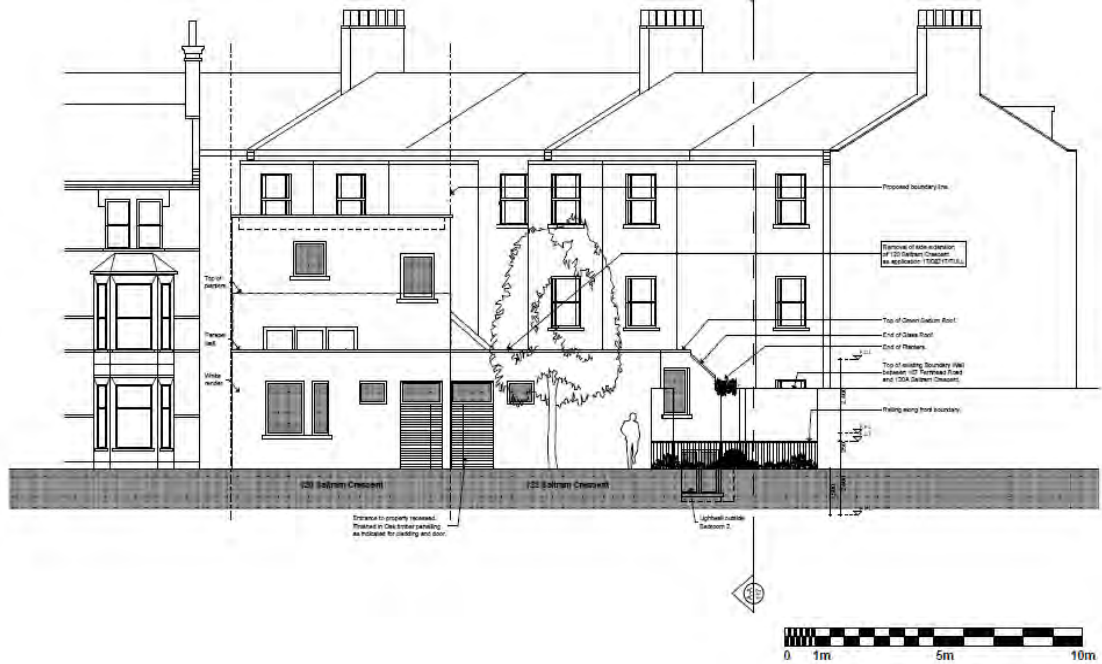
PROPOSED ROOF PLAN



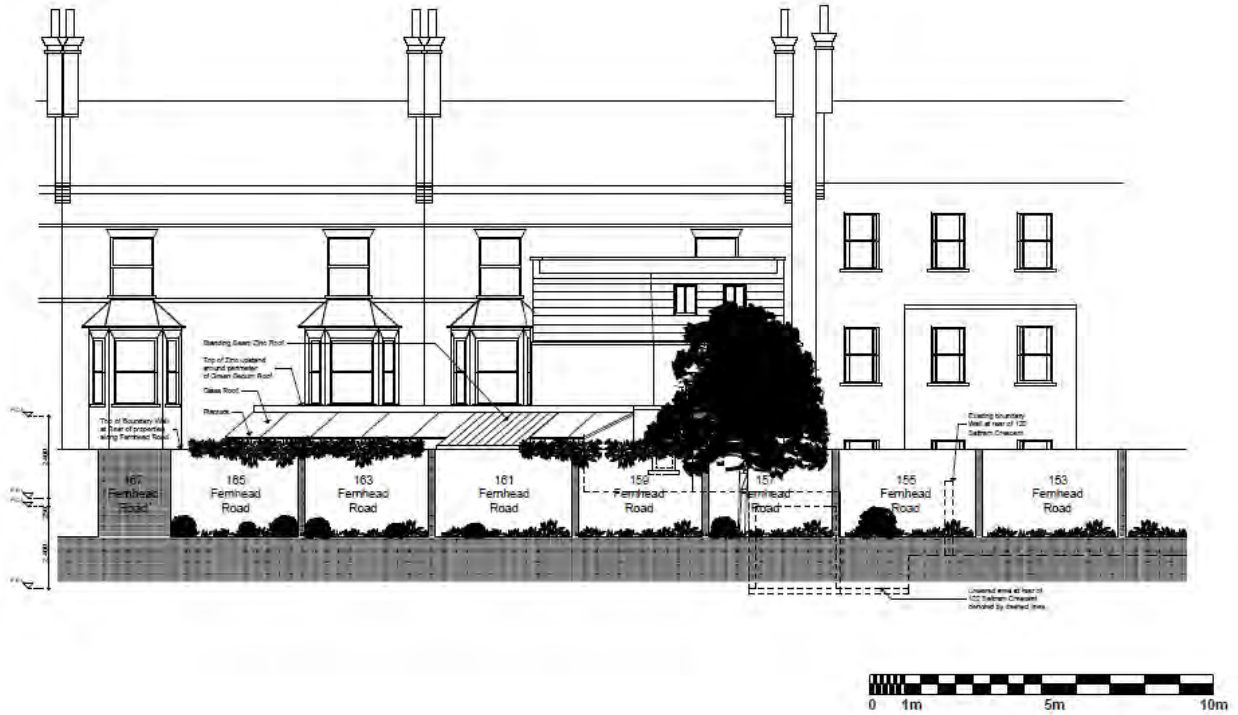
APPROVED FRONT ELEVATION



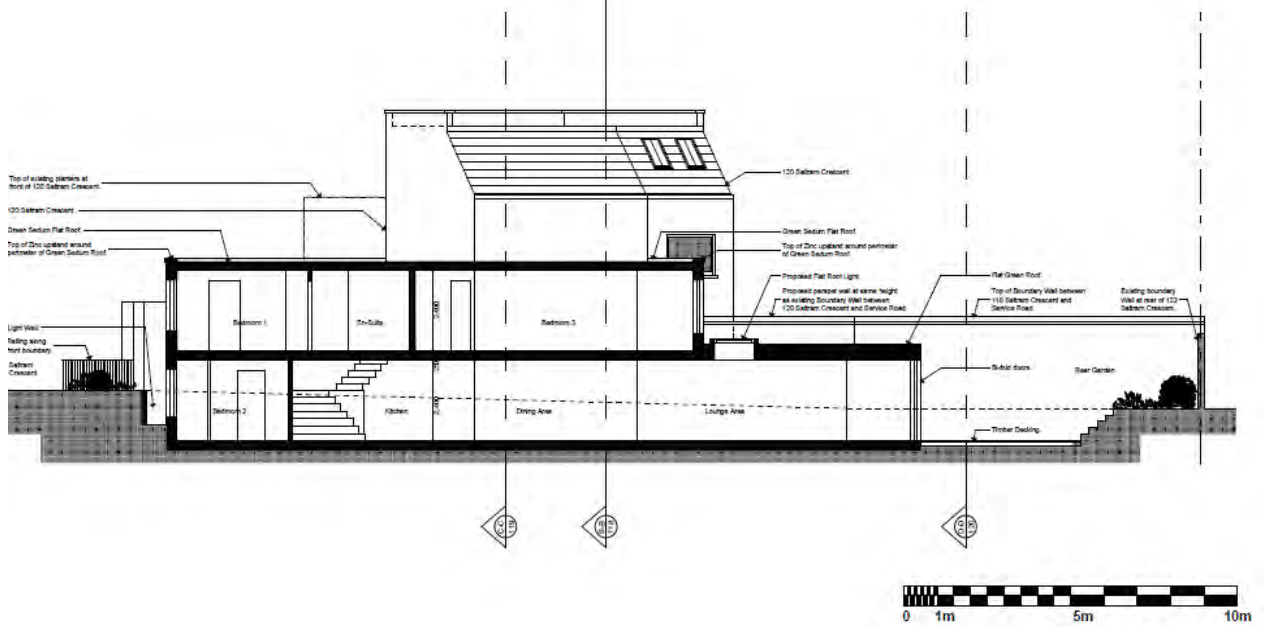
PROPOSED FRONT ELEVATION (AS SEEN FROM SALTRAM CRESCENT)



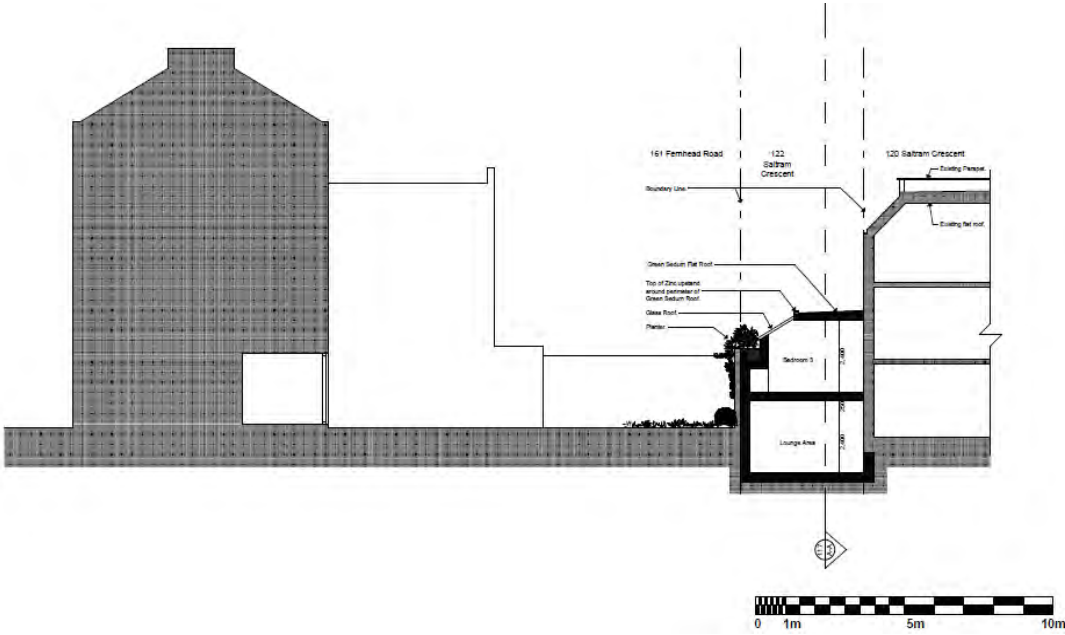
**PROPOSED SIDE ELEVATION (AS SEEN FROM PORPERTIES ON FERNHEAD ROAD)**



**PROPOSED SECTION A-A**



PROPOSED SECTION B-B



**DRAFT DECISION LETTER**

- Address:** Land Adjacent To 120, Saltram Crescent, London.
- Proposal:** Removal of side projection of 120 Saltram Crescent and the erection of a two storey single dwellinghouse (Class C3) with associated excavation and alterations.
- Reference:** 18/01592/FULL
- Plan Nos:** 1353-BA-103 Rev A, 1253-BA-102 Rev A, 1353-BA-105 Rev A, 1353-BA-104 Rev A, 1353-BA-107 Rev A, 1353-BA-108 Rev A, 1353-BA-109 Rev A, 1353-BA-110 Rev A, 1353-BA-106 Rev A, 1353-BA-112 Rev B, 1353-BA-113 Rev A, 1353-BA-115 Rev D, 1353-BA-101 Rev B, 1353-BA-114 Rev B, 1353-BA-117 Rev C, 1353-BA-118 Rev B, 1353-BA-119 Rev B, 1353-BA-120 Rev B, 1353-BA-111 Rev B, 1353-BA-116 Rev B, Appendix A - Checklists, Construction Management Plan, Ground Engineering, Planning Statement, Site Location Plan, Structural Methodology Statement, Arboricultural Report, Tree Survey, Tree Constraints Plan and Tree Protection Plan.

**Case Officer:** Harry Berks

**Direct Tel. No.** 020 7641 3998

**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:
  - Between 08.00 and 18.00 Monday to Friday; ,
  - Between 08.00 and 13.00 on Saturday; and ,
  - Not at all on Sundays, bank holidays and public holidays.

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

- Between 08.00 and 18.00 Monday to Friday; and ,
- 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 The new sheer elevations shall be faced in smooth render which shall be coloured white and maintained in that colour thereafter.

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)

- 5 You must provide the following bio-diversity features before you start to use any part of the development, as set out in your application: Green roof. You must not remove any of these features. (C43FA)

Reason:

To increase the biodiversity of the environment, and to make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area, as set out in S28 and S38 of Westminster's City Plan (November 2016) and DES 1, DES 5 and ENV 17 of our Unitary Development Plan that we adopted in January 2007

- 6 Notwithstanding the submitted drawings, you must apply to us for approval of an elevation drawing showing the front boundary wall to the north side of the site (flanking the pavement to Saltram Crescent), and which must show railings rising from a solid plinth (and not directly from

the paving to the front garden. You must not start any work on these parts of the development until we have approved what you have sent us., You must then carry out the work according to this drawing and the railings and plinth as secured by this condition must be installed prior to the occupation of this dwelling. (C26DB)

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)

- 7 You must apply to us for approval of samples of the facing materials proposed for the front entrance door (with these materials shown in their finished appearance, including any painted finish etc. proposed for the door. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work using the approved materials. (C26BC)

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)

- 8 You must apply to us for approval of detailed drawings of a hard and soft landscaping scheme which includes the number, size, species and position of trees and shrubs. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then carry out the landscaping and planting within one planting season of completing the development (or within any other time limit we agree to in writing). If you remove any trees or find that they are dying, severely damaged or diseased within three years of planting them, you must replace them with trees of a similar size and species. (C30CB)

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of the area, and to improve its contribution to biodiversity and the local environment. This is as set out in S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17 and DES 1 (A) of our Unitary Development Plan that we adopted in January 2007. (R30BC)

- 9 You must apply to us for approval of detailed drawings and a bio-diversity management plan in relation to the green roof to include construction method, layout, species and maintenance regime. You must not commence works on the relevant part of the development until we have



approved what you have sent us. You must carry out this work according to the approved details and thereafter retain and maintain in accordance with the approved management plan.

Reason:

To increase the biodiversity of the environment, as set out in S38 of Westminster's City Plan (November 2016) and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R43FB)

- 10 You must apply to us for approval of details of how waste is going to be stored on the site and how materials for recycling will be stored separately. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then provide the stores for waste and materials for recycling according to these details, clearly mark the stores and make them available at all times to everyone using the house. (C14EC)

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 11 Prior to the occupation of the new house the height of the dropped curb to the front of the site must be raised to the height of that of the adjacent footway to form one level surface at the applicant's cost.

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 12 You must not form any windows or other openings (other than those shown on the plans) in the outside walls of the building without our permission. This is despite the provisions of Classes A through to G of Part 1 of Schedule 2 to the Town and Country Planning General Permitted Development Order (England) 2015 (or any order that may replace it). (C21EB)

Reason:

To prevent an overdevelopment of the site and to protect the environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21EC)

- 13 The three bedroom residential unit shown on the approved drawings must be provided and thereafter shall be permanently retained as accommodation which (in addition to the living space) provides three separate rooms capable of being occupied as bedrooms.

Reason:

To protect family accommodation as set out in S15 of Westminster's City Plan (November 2016) and H 5 of our Unitary Development Plan that we adopted in January 2007. (R07DC)

- 14 You must apply to us for approval of details of secure cycle storage for the new house. You must not start any work on this part of the development until we have approved what you have sent us. You must then provide the cycle storage in line with the approved details prior to occupation. You must not use the cycle storage for any other purpose.

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2015.

- 15 Prior to the commencement of any demolition or construction on site the applicant shall submit an approval of details application to the City Council as local planning authority comprising evidence that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice. Such evidence must take the form of a completed Appendix A of the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Inspectorate, which constitutes an agreement to comply with the code and requirements contained therein. Commencement of any demolition or construction cannot take place until the City Council as local planning authority has issued its approval of such an application (C11CB).

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)

**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.

- 2 You will need to re-apply for planning permission if another authority or council department asks you to make changes that will affect the outside appearance of the building or the purpose it is used for. (I23AA)
- 3 Condition 11 of this permission requires you to the raise the height of the crossover. You should contact or highways planning department on <highwaysplanning1@westminster.gov.uk> to progress the matter.
- 4 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560. (I35AA)
- 5 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work. Your main contractor should also speak to our Environmental Health Service before starting work. They can do this formally by applying to the following address for consent to work on construction sites under Section 61 of the Control of Pollution Act 1974, 24 Hour Noise Team, Environmental Health Service, Westminster City Hall, 64 Victoria Street, London, SW1E 6QP, Phone: 020 7641 2000. Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (I50AA)
- 6 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. (I54AA)
- 7 Thames Water request that you incorporate protection to the property by installing for example a non-return valve or other suitable device to avoid the risk of backflow during storm conditions. Should your proposed building work fall within 3 metres of pipes you share with your neighbours that connect to a public sewer you are recommended to contact Thames Water on 0845 850 2777 to discuss their status in more detail and determine whether a building over / near to agreement is required.
- 8 You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults.

You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please phone 020 7641 2642. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority). (I09AC)

- 9 The development for which planning permission has been granted has been identified as potentially liable for payment of both the Mayor of London and Westminster City Council's Community Infrastructure Levy (CIL). Further details on both Community Infrastructure Levies, including reliefs that may be available, can be found on the council's website at: [www.westminster.gov.uk/cil](http://www.westminster.gov.uk/cil), , Responsibility to pay the levy runs with the ownership of the land, unless another party has assumed liability. If you have not already you must submit an Assumption of Liability Form immediately. On receipt of this notice a CIL Liability Notice setting out the estimated CIL charges will be issued by the council as soon as practicable, to the landowner or the party that has assumed liability, with a copy to the planning applicant. You must also notify the Council before commencing development using a Commencement Form CIL forms are available from the planning on the planning portal: <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> forms can be submitted to <CIL@Westminster.gov.uk>, Payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay, including Stop Notices, surcharges, late payment interest and prison terms.
- 10 You are reminded that you must get the approval from the owners of 157 Fernhead Road in order to prune the tree in its rear garden which partially overhangs into your site.

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.

**BACKGROUND PAPERS - Land Adjacent To 120, Saltram Crescent, London,  
18/01592/FULL**

1. Application form
2. Sub-Committee report of application 14/00606/FULL, dated 22 July 2014
3. Response from Building Control dated 8 June 2018
4. Response from Cleansing dated 31 May 2018
5. Response from Highways Planning dated 1 June 2018
6. Response from Arboricultural Officer dated 25 May 2018
7. Letter from occupier of 92C Saltram Crescent, dated 3 March 2018
8. Letter from occupier of 116 Saltram Crescent, dated 23 May 2018
9. Letter from occupier of Flat 3, 161 Fernhead Road, dated 1 June 2018
10. Letter from occupier 163 Fernhead Road, dated 6 June 2018
11. Letter from occupier of Flat 2, 163 fernhead Road London, dated 7 June 2018
12. Letter from occupier of Flat 2 163 Fernhead Road, London, dated 7 June 2018