

Sophie Middleton

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**References:** P/2022/0367 01353/42/P1

**Address:** 42 St Christopher's Close TW7 4NP

**Ward:** Osterley and Spring Grove

**Proposal:** Erection of a brick wall with railings along the boundary of Thornbury Road and relocation of timber fence

**Application validated:** 3 February 2022

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**This application is presented to Planning Committee following a call in from Councillor Chaudri**

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## **1.0 SUMMARY**

- 1.1 The proposal being considered under this application is for the erection of a new boundary wall directly along boundary with Thornbury Road and the relocation of the existing timber fence. The new wall would enclose some existing green space owned by the applicant on the corner of St Christopher's Close and Thornbury Road
- 1.2 The proposed development would not harm neighbouring properties and would preserve the character of the host property and the surrounding Conservation Area.
- 1.3 The proposed development, subject to conditions would comply with Development Plan policies.

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| 1.4 The application is therefore recommended for approval, subject to conditions |
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## 2.0 SITE DESCRIPTION



*Figure 1 Site Location Plan*

2.1 The application site is located on the southern side of St Christopher's Close on the corner with Thornbury Road. It contains two-storey end of terrace property with open green space to the side directly adjacent to Thornbury Road.

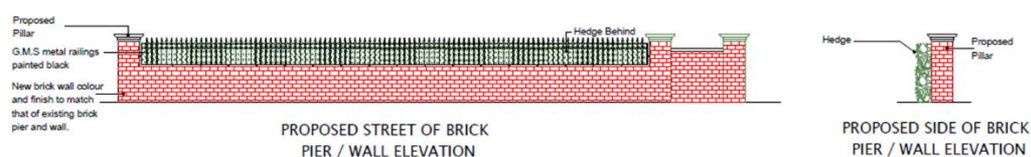
2.2 The application site is located within the Spring Grove Conservation Area.

## 3.0 HISTORY

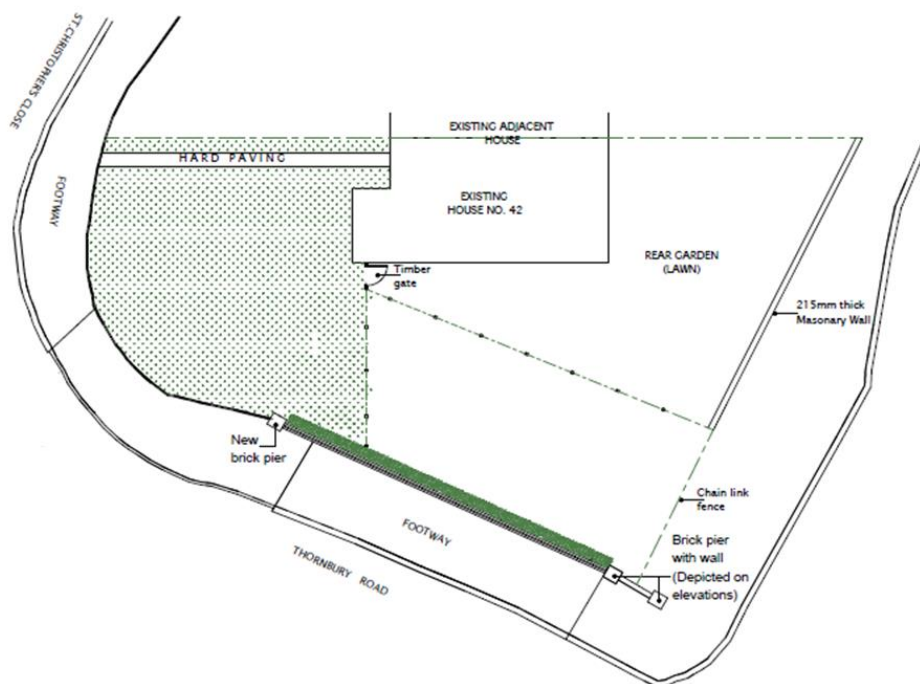
3.1 None relevant

## 4.0 DETAILS OF PROPOSAL

4.1 The proposal being considered under this application is for the erection of new boundary wall, directly along Thornbury Road. The wall would include brickwork to match the existing brick pier and black metal railings with a hedge behind.



*Figure 2 Proposed Elevations*



**Figure 3 Proposed Block Plan with existing fence shown as dotted line**

## 5.0 CONSULTATIONS

- 5.1 Five neighbouring properties, the Isleworth Society and the Osterley & Wyke Green Residents Association were consulted on 4 February 2022.
- 5.2 A site notice was posted on 8 February 2022 and a press notice posted 11 February 2022
- 5.3 Four responses were received and are summarised below:

Comment	Response
Proposal would remove amenity land and constitutes as a change of use	The subject land has been checked with the land registry and is within the ownership of the applicant
Proposal would change visual nature of open plan estate	The proposed wall would not be erected along the entire boundary of the green space and it would still retain some openness directly in front of the properties on St Christopher's Close
Lead to obstructions using the footway	The new boundary wall would not obstruct the footway and the Council's transport officers raised no

	objections to the proposal
Proposal would go against restrictive covenants of the land	See Section 7.8, restrictive covenants are not a material planning consideration
Proposal would not preserve character of the Conservation Area	See Section 7.2 – 7.7, the Council's Conservation Officers raised no objections to the proposal
Proposal would destroy property value of whole area	Property values are not a material planning consideration
Fence has previously been put up without permission	This is noted, however previous enforcement action does not constitute a material planning consideration

- 5.4 The application was placed on the Pending Decisions List dated 4 – 11 March 2022 (Week 9) and the application was called in by Councillor Chaudri

## 6.0 POLICY

### **Determining applications for full or outline planning permission**

- 6.1 The determination must be made in accordance with the development plan unless material considerations indicate otherwise. Local finance considerations must also be assessed.

### **Determining applications in a conservation area**

- 6.2 In considering whether to grant planning permission with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

### **National Planning Policy Framework**

- 6.3 The National Planning Policy Framework (NPPF) was revised on 20 July 2021. The National Planning Practice Guidance (NPPG) is an online guidance resource that supports the NPPF. These may be material considerations. They will be cited in application reports where relevant to the case at hand

### **Development Plan**

- 6.4 The Development Plan for the Borough comprises the Council's Local Plan (adopted by the Council on 15 September 2015), the West London Waste Plan

and the London Plan 2021(adopted by the Greater London Authority on 2 March 2021).

6.5 The Council is undertaking Local Plan Reviews: the West of Borough, Great West Corridor and Site Allocations Local Plan reviews. None is relevant in this case.

6.6 The adopted Local Plan and emerging Local Plan Review documents can be viewed on the Planning Policy pages of the Hounslow website and will be cited in reports where they are relevant to the case at hand.

**6.7 Local Plan Policies**

<b>CC1</b>	Context and Character
<b>CC2</b>	Urban Design and Architecture
<b>CC4</b>	Heritage
<b>SC7</b>	Residential Extensions and Alterations

**6.8 Spring Grove Conservation Area Appraisal, October 2019**

**6.9 Residential Extension Guidelines**

**Section 4.13** Boundary Walls and Hard Standing

6.10 The Residential Extension Guidelines were introduced to ensure that a balance is struck between protecting neighbours' interests, keeping a good quality and attractive street scene and meeting applicants' reasonable expectations for increased accommodation.

**7.0 ASSESSMENT**

**How would the proposal affect neighbours and is this acceptable?**

7.1 Apart from the installation of the wall, there would be no alterations to the property. Consequently, the proposal would not harm neighbours' light, outlook or privacy.

**How would the proposal affect the appearance of the area and is this acceptable?**

7.2 Local Plan Policies SC7, CC1 and CC2 seek to ensure that developments complement the character of the area through good design. Policy CC4 seeks to conserve and enhance the significance of the Borough's heritage assets.

7.3 The application site occupies a prominent position on the corner of St Christopher's Close and Thornbury Road. This area of St Christopher's Close is characterised by landscaped front gardens and houses set back significantly from the highway. There are more examples of front boundary treatment directly adjacent to the highway and surfaced front gardens opposite the site on Thornbury Road.

- 7.4 The proposal would retain part of the current open space associated with the existing site, directly in front of the property, retaining the current open nature of the street which is associated with St Christopher's Close and therefore would be acceptable in principle.
- 7.5 The design of the proposed wall and fencing would reflect that of surrounding areas and it would include metal railings similar to surrounding properties. The addition of hedging would introduce additional landscaping to the site, which reflects the design of other boundary treatments in the vicinity.
- 7.6 The proposed brickwork would match the finishes of the existing brick pier and wall, which is considered acceptable. The introduction of railing and hedging would reflect the appearance of the boundary treatment at No 94 Thornbury Road, on the opposite side to the application side and is considered acceptable. The proposed material palette would be secured via condition to ensure a high quality finish and preserve the character of the area.
- 7.7 Therefore, the proposed development would preserve the character and appearance of the host property and surrounding Conservation Area in accordance with Local Plan Policies CC1, CC2, CC4 and SC7.

**Any other relevant planning considerations?**

- 7.8 A number of comment received in relation to this application refer to the loss of amenity space as a result of the application. The entire site is within the ownership of No 42 and any issues which relate to covenants would not be material planning considerations. The proposal would not impact the existing footpath and therefore would not affect pedestrian movement.

**Fire Safety:**

- 7.9 Following the publication of the London Plan in March 2021 all applications are required to meet the highest standards of fire safety. As part of this application fire safety information has been submitted to accord with policy D12a of the London Plan and as such the proposal is acceptable in these terms.

**8.0 EQUALITIES DUTIES IMPLICATIONS**

- 8.1 The public sector equality duty applies to all council decisions.
- 8.2 A public authority or any person who exercises public functions must, in the exercise of those functions, have due regard to the need to:
- (a) Eliminate discrimination, harassment, victimisation and any other conduct prohibited by or under the Act;
  - (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 8.3 Having due regard to the need to advance equality of opportunity, this involves having due regard, in particular, to the need to:
- (a) Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
  - (b) Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
  - (c) Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 8.4 This shall include, in particular, but is not limited to steps to take account of disabled persons' disabilities.
- 8.5 The exercise of public functions must have due regard to the need to foster good relations between persons who share a relevant protected characteristic and those who do not, in particular, to the need to:
- (a) Tackle prejudice; and
  - (b) Promote understanding.
- 8.6 Compliance with these duties may involve treating some persons more favourably than others. This is not to be taken as permitting conduct that would otherwise be prohibited by or under the Act.
- 8.7 The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; marriage and civil partnership; and sexual orientation.
- 8.8 Due regard needs to be demonstrated in the decision making process and requires an analysis of the material with the specific statutory considerations in mind. It does not follow that the considerations raised will be decisive in a particular case. The weight given to them will be for the decision maker. The equalities duty is not a duty to achieve a particular result. Some equalities considerations are covered under other legislation such as Building Control matters. Officers have in considering this application and preparing this report had regard to the public sector equality duty and concluded that due regard has been given to the Council's duty in respect of its equalities duties and that if approving or refusing this proposal the Council will be acting in compliance with its duties.

## **9.0 LOCAL FINANCE CONSIDERATIONS AND THE COMMUNITY INFRASTRUCTURE LEVY**

- 9.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. A local finance consideration means:

- a) A grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
- b) Sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL).

9.2 The weight to be attached to a local finance consideration remains a matter for the decision maker. The Mayor of London's CIL and Hounslow CIL are therefore material considerations.

9.3 This proposal would not be liable to pay Community Infrastructure Levy

## **10.0 RECOMMENDATION:**

That planning permission be granted subject to the following conditions (subject to any minor variation of condition wording). The exact terms of the conditions shall be negotiated by appropriate officers in the Department of Housing, Planning and Economic Regeneration on the Head of Governance's advice.

## **11.0 Planning Conditions:**

### **1 Time Limit**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**Reason:** To accord with the provisions of Section 92(1) of the Town and Country Planning Act 1990 (as amended).

### **2 Detailed Applications**

The proposed development shall be carried out in all respects in accordance with the proposals contained in the application and the plans submitted (Unnumbered Site Location Plan received 3 February 2022; 2022/42/SCCI/101/A, 2022/42/SCCI/102/A1, 2022/42/SCCI/104/B1, 2022/42/SCCI/103/B received 9 March 2022) therewith and approved by the Local Planning Authority, or as shall have been otherwise agreed in writing by the Local Planning Authority before the building is used.

**Reason:** To ensure the development is carried out in accordance with the planning permission.

### **3 Materials**

The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building, unless otherwise shown on the approved plans.

**Reason:** To safeguard the visual amenity of the area, in accordance with Local Plan policies CC1, CC2 and SC7 and the Council's Residential Extension Guidelines 2017.



**Informatives:**

- 1 To assist applicants, the London Borough of Hounslow has produced planning policies and written guidance, which are available on the Council's website. The Council also offers a pre-application advice service. In this case, the Council's suggested improvements were adopted by the applicant.

**Drawing Numbers:**

Unnumbered Site Location Plan received 3 February 2022

2022/42/SCCI/101/A, 2022/42/SCCI/102/A1, 2022/42/SCCI/104/B1,  
2022/42/SCCI/103/B received 9 March 2022

<b>Background Papers:</b>
The contents of planning application and enforcement files save for exempt or confidential information as defined in the Local Government Act 1972, Sch. 12A Parts 1 and 2.