

Committee	PLANNING COMMITTEE (A)	
Report Title	62 SYDENHAM PARK ROAD SE26 4LL	
Ward	Sydenham	
Contributors	Kate Challenger	
Class	PART 1	Date: 19 MAY 2011

Reg. Nos. DC/11/76579

Application dated 09.02.2011 and completed 01.03.2011

Applicant Mr A Coldman

Proposal The installation of a 1.8 metre high boundary fence.

Applicant's Plan Nos. Photographs, Site Location & Block Plans Ref 5.

Background Papers

- (1) Case File LE/499/62/TP
- (2) Adopted Unitary Development Plan (July 2004)
- (3) Emerging Local Development Framework (May 2007)
- (4) The London Plan (2004, consolidated with alterations 2008)
- (5) Residential Development Standards SPD (2006)

Zoning Adopted UDP - Existing Use

## **1.0 Property/Site Description**

- 1.1 The property is a two storey semi-detached house occupying a corner plot at the junction of Sydenham Park Road and Whittell Gardens.
- 1.2 The property has a small front garden and large garden to the side. There is a garage to the rear of the plot, adjacent to 48 Whittell Gardens. To the rear of the house is a small courtyard garden.
- 1.3 The surrounding area is residential in character.

## **2.0 Planning History**

- 2.1 There is no planning history for the property.

## **3.0 Present Application**

- 3.1 The application is for the installation of a 1.8 metre high boundary fence to 62 Sydenham Park Road.

- 3.2 The works come as part of the wider refurbishment of the house and garden. The applicants have cleared the garden and had started to erect the supporting posts for the proposed fence when they were informed that planning permission would be required. This was on the 9/02/2011 at which point work to the fence was halted.
- 3.3 A fence of 1.8 metre in height is proposed. This would be located as follows: along the section of the front boundary to Sydenham Park Road to the right of the existing front path; along the whole of the side boundary fronting Whittell Gardens; a section joining this side boundary to the garage and from the front boundary to a garden gate at the side of the house, to the right of the existing front path.
- 3.4 The section of low wall directly in front of the house, to the left of the existing front path, would remain.
- 3.5 The material proposed is wooden feather edge fencing, oak in colour, with wooden gravel boards to the base. Wooden fence posts are already in place. The applicants have stated that these were bought as pre-cut lengths and are consequently longer than required. They plan to cut these down to the proposed height of 1.8m.

#### **4.0 Consultations and Replies**

- 4.1 Consultation letters were sent to nine local residents and local ward Councillors.
- 4.2 Three individual letters of objection have been received from the owner of 83 Sydenham Park Road and the owners/occupiers of 77 and 117 Sydenham Park Road.. The following objections were raised in the letters:
- (1) The proposed fence would be out of keeping with the other properties along the road, which have low brick walls or low wooden fences.
  - (2) The fence would be too high in relation to other front gardens on the street.
  - (3) The proposed fence would bring an unsightly industrial look to a pleasant residential street.
  - (4) The proposed fence may attract graffiti, which in turn would encourage street crime in the vicinity.
  - (5) The fence could be used as a screen for car crime and make it harder to see what is taking place.
  - (6) The fence would change the greener appearance of the street.
  - (7) The fence would block out the view from our property (83 Sydenham Park Road), affecting light levels and spoiling outlook.

(Letters are available to Members)

## **5.0 Policy Context**

### **5.1 London Plan**

5.2 The London Plan, consolidated with alterations since 2004, was published in February 2008. Together with the saved policies in the adopted Lewisham UDP (July 2004), the London Plan comprises the development plan for Lewisham. The policies that are relevant to this applications are:

4B.1 Design principles for a compact city  
4B.8 Respect local communities and context

### **5.3 Unitary Development Plan**

5.4 Relevant saved policies in the adopted Unitary Development Plan (July 2004) are:

5.5 URB 3 Urban Design, URB 6 Alterations and Extensions, HSG 4 Residential Amenity and HSG 7 Gardens.

5.6 Residential Development Standards 2006.

### **Lewisham Core Strategy**

5.7 Lewisham is in the process of replacing the UDP with the documents that comprise the Local Development Framework (LDF). The most important document in the LDF is the Core Strategy, Development Plan Document (DPD). The Lewisham Core Strategy was submitted to the Secretary of State on 29<sup>th</sup> October 2010 and its Examination in Public was held on 1<sup>st</sup> and 2<sup>nd</sup> February 2011. The Council has now received the Inspector's report. The Inspector has found the Core Strategy to be sound provided certain amendments, identified in his report, are made. In accordance with the regulations Officers will make the necessary changes with the intention of adopting the Core Strategy subject to its approval at the full Council meeting in June 2011. For development control purposes the Core Strategy will become part of the development plan when adopted by resolution of the full Council. Government advice on the weight to be attached to emerging DPD policies is that this is determined on the stage of preparation or review, increasing as successive stages are reached. As the Core Strategy has been found sound all that remains for legal adoption is a resolution of full Council. As such very considerable weight can be attached to the Core Strategy in the decision making process.

5.8 The relevant Policies are: Policy 15: High quality design for Lewisham.

## **6.0 Planning Considerations**

6.1 The issues to consider in regard to this application are any highways safety issues; the impact of the proposed fence on the appearance of the property and wider area and the impact on residential amenity. Policy expects residential development to complement the character of the surrounding development, enhance the streetscene and protect neighbour amenity.

### Highways Safety

- 6.2 In regards to highways safety, the Highways department have been consulted on the application and find the application to be unobjectionable and therefore not to have an impact on road safety.

### Appearance

- 6.3 The proposed fence would occupy a prominent corner position and therefore be highly visible within the streetscene and its impact on the character of the streetscene and amenity therefore need to be considered.
- 6.4 The character of the corner plot is at present open, the garden having been cleared. Previously, the boundary was made up of a variety of hedges and shrubs and the height of these would have been somewhat lower than the proposed fence and would have given a greener appearance to that corner.
- 6.5 The immediate area displays a wide variety of boundary treatments. While all front boundaries have low wall, fences or hedges, corner plots vary in the treatment and height of boundaries. While some corner plots in the vicinity have low boundary treatments, the corner plot directly opposite (60 Sydenham Park Road) consists of a lower wall with high privet hedge around the side of the plot, while at the front there is a low wall and lower planting. The boundary is therefore of similar height to that proposed, but is made of a mixture of hard and soft landscaping.
- 6.6 Other corner plots in the immediate area: junction of Whittell Gardens with Sydenham Park, 42 Sydenham Park has a low wall plus low hedge; 40 Sydenham Park has a low wall with high hedge to the front/side and to the side/rear (facing Whittell Gardens) has a low wall with fence above, creating a boundary of similar height to the that proposed.
- 6.7 Slightly further away, 159 Sydenham Park Road, at the junction with Peak Hill, has a high boundary fence (approximately 1.8-2 metre high) along the whole of its boundary, apart from directly in front of the house, where the fence is 1 metre high.
- 6.8 A variety of boundary types and heights therefore exist in the vicinity for corner plots. All plots have low boundary treatments directly to the front of the house, as is also proposed here (the existing low wall is to remain), but treatments to the side/rear vary. The proposed 1.8 metre high fence to the side/rear is similar height to some of the nearby corner boundaries and the material, being typical garden fence timber, is not considered to be out of character with the area or to be detrimental to the street scene.

### Residential Amenity

- 6.9 It is not thought the fence would have any negative impact on neighbouring residential amenity. It would not block daylight or sunlight to any neighbouring properties. In terms of views, it is considered that the fence would reduce the open nature of the garden and therefore disrupt views from other properties ground floor levels and gardens across the garden, but it is not thought this is a reason to refuse planning permission.

6.10 It is not considered that the fence would be a significant factor in attracting street crime to the area and while it could unfortunately attract graffiti, this is not thought to be reason for refusal of planning permission. The material and height proposed are typical of garden boundary treatments.

6.11 The amenity of the applicant property should also be considered. The site is unusual, in that the main usable garden space is to the side, with the rear providing only a small space. The side area is therefore the equivalent of the back garden of a traditional plot and the desire is to fence the plot in order to create a private, usable garden area. This is consistent with Policy HSG 7 of the UDP, which seeks the provision of secure, private and useable external space. In particular, family sized dwellings, such as this, should be provided with their own private garden area. It is therefore considered that the residential amenity of the host property is considerably improved by making the garden more secure, private and usable.

## **7.0 Consultations**

7.1 The neighbour objections have been dealt with in the main report.

7.2 Highways - the application is unobjectionable.

## **8.0 Conclusion**

8.1 The proposed fence is considered to be of appropriate materials and height for the setting and would not be detrimental to the character of the property or surrounding area or road safety and it is not considered it would have any negative impact on neighbouring amenity.

## **9.0 Summary of Reasons for Grant of Planning Permission**

9.1. On balance, it is considered that the proposal satisfies the Council's Land Use and environmental criteria and is in accordance with Policies URB 3 Urban Design, URB 6 Alterations and Extensions, HSG 4 Residential Amenity and HSG 7 Gardens in the adopted Unitary Development Plan (July 2004).

9.2. It is considered that the proposal is appropriate in terms of its form and design and would not result in material harm to the appearance or character of the surrounding area, or the amenities of neighbouring occupiers. The proposal is thereby in accordance with Policies URB 3 Urban Design, URB 6 Alterations and Extensions, HSG 4 Residential Amenity and HSG 7 Gardens in the adopted Unitary Development Plan (July 2004).

## **10.0 RECOMMENDATION GRANT PERMISSION**