



CRESCENT AMENITY LIMITED

RESIDENTS NOTES FOR GUIDANCE

You may already know a good deal about the history of the area in which we live: in a nutshell, the whole area was once owned by the Bishop of London, and then by the Church Commissioners. The houses around the Crescent Garden were built between 1860 – 1880, with one or two modern 'infills' of later dates. In the 1980's the Church Commissioners decided to sell the properties, which after many years of benign neglect were not in very good condition, but they had been little altered since they were built, leaving the area as something of a haven of high Victorian architecture, which in due course lead to the area being designated a Conservation Area.

The Church Commissioners retained Chestertons to manage the sale of the estate. It was agreed that the area should be split up into sections: each section being run by a self-governing limited company, with a Chairman and directors who are all residents elected at the Annual General Meeting of the company. Each area was called an Amenity Company – ours being the Crescent Amenity Company.

To ensure the future preservation of the area, the Commissioners drew up complex legal arrangements based on a central document called the Rent Charge Deed. You can download a copy of the Deed by [clicking here](#). In our case the holder of the Rent Charge is Crescent Amenity Limited. It has rights over all the freeholders, but also has obligations to those freeholders. Similarly, every freeholder has rights and duties not only to the holder of the Rent Charge, but through the deed, to every other freeholder. In order to carry out these duties, the Amenity Company has considerable legal powers.

So what does this mean in practice? If for instance a freeholder or one of his tenants makes some change to his property which is prohibited by the Rent Charge Deed, the Amenity Company can force it to be undone. This can be a lengthy business, but the ultimate sanction is that the freeholder would lose his freehold. It is therefore obvious that the conditions set out in the Rent

Charge Deed are of considerable importance. The main rules which you are likely to come across are:

- To obtain written permission from the Amenity Company for all external works before starting.
- To keep the house in good repair.
- To paint the exterior in the correct shade of Magnolia every 5 years.
- To pay towards the costs of running the Company, the gardens, and – where applicable – the roadway in Clifton Gardens.
- To obey the garden rules.

The following more detailed notes have been prepared to help all residents to maintain and preserve the valuable amenity that we all share.

GENERAL MANAGEMENT

Crescent Amenity Limited has appointed Westbourne Estates as its Managing Agent. (Tel. 020 7229 8444 – Crispin Samson-Bancroft or Aaron Landeryou). On behalf of Crescent Amenity, Westbourne collect the fixed and variable rent charges, and pay any bills. Westbourne also provide secretarial services to the Committee, and are responsible for taking action on items that arise at the meetings. Westbourne also handle day-to-day queries regarding the amenity company. They also are responsible for the issuing of garden keys.

SALE OF FREEHOLD PROPERTIES

Under the terms of the Rent Charge Deed no freehold may be sold unless the new freeholder enters into a deed of covenant with Crescent Amenity Limited in the terms set out in the Sixth Schedule to the Rent Charge Deed failing which the outgoing freeholder will still be liable for any breaches of the covenant that may occur after completion has taken place.

Simultaneous with any transfer of the freehold property the outgoing freeholder is to transfer its share or shares in Crescent Amenity Limited to whoever is to become the new freeholder.

THE GARDEN

The garden is managed by the Garden Committee which has delegated powers from the Board of Crescent Amenity Limited. The gardeners who look after our

garden (Garden Associates) have done so very effectively for many years. Mrs Virginia de Vaal has equally worked with the gardeners for many years: the garden that you see today is the fruit of that long association. Anything and everything that goes on in the garden is discussed and agreed at the regular committee meetings. The committee is also responsible for ensuring that residents abide by the garden rules – a copy of the rules is set out in the Garden Rules section of the website.

THE CLIFTON GARDENS ROADWAY.

The roadway is also part of the responsibility of Crescent Amenity. The company is responsible for setting out and enforcing the rules for parking in this roadway. The Committee has appointed Wing Security Limited who are authorised to wheel-clamp unauthorised vehicles parked in the roadway. NB. This arrangement may have to change to comply with any new legislation in this area.

The issue of residents' parking permits, and contractors' temporary permits is handled by Westbourne Estates. The Committee is also responsible for cleaning and maintaining the roadway, and has responsibility for the drains and cables beneath the roadway.

REPAIRS, MAINTENANCE AND ALTERATIONS

Repairs. The Rent Charge Deed requires that all properties are maintained in a good state of repair, and that all properties are decorated at least every 5 years, or at the discretion of the directors.

External paintwork. The Rent Charge Deed specifies that all external paintwork shall be in British Standard Colour 08B15, which is the familiar shade of magnolia. Woodwork must be painted in Gloss white or magnolia, the same colour being used for all the woodwork in the building. Front doors may be painted any colour of the freeholders choice, with a preference for 'historic' colours. Pipework and gutters should be painted gloss black or magnolia. External stairs, railings and other metalwork should equally be painted gloss black or magnolia.

Alterations. The important thing to remember is that you **must** have the agreement of Crescent Amenity **before** you apply for either planning permission, or listed building consent for any alterations to your property.

Because of the importance of this subject, these notes will cover the subject in some detail.

- Extensions. There is very little scope for extensions to properties within the Amenity area. However, any proposed extension must be in keeping with the building that is being extended in terms of scale, material, windows, architectural detailing, and colour of the finishes. Roof extensions should generally be contained within the pitch of the existing roof, with properly formed dormer windows. Matching second-hand Welsh slates should always be used in preference to new or artificial slate, especially on listed buildings where the former is a prerequisite. Flashings should be properly formed in lead, and stepped into the brickwork where appropriate.
- Windows. The windows in any new extension must match those of the existing building. It is particularly important that when timber sash windows or French windows are being replaced, that the pattern of the existing glazing bars and mouldings is maintained: ie. Georgian small pane windows are not appropriate for Victorian buildings, and 'off-the-shelf' windows rarely match the quality of the original. UPVC windows must not be used.
- Window Security Shutters and Bars. The only permitted type of external security grill, is plain round metal vertical bars, with flat cross members built into the brickwork: folding security gates or grills may only be used internally. Under no circumstances may external roller-type shutters be fitted, or any other type of decorative bars or shutters fitted externally.
- Conservatories. Proposals for conservatories either at ground or upper floor levels will be scrutinised closely by Crescent Amenity, because living in a conservation area means a general presumption against conservatories. Any application must ensure that the style of the conservatory is in period, and constructed from traditional materials ie. Painted timber, clear glass and lead. UPVC and "Florida" type conservatories with curved glazing are unacceptable.
- Balconies. Balconies must be in keeping with the architectural style of the building, and should have metal or stone balustrading as appropriate. Applied timber facing or trellis work is not acceptable. Care must be taken to prevent water run-off which will stain the building below – particular

care must be taken with the placing of plant pots etc, which can damage the asphalt. Unsightly timber dividing screens to continuous balconies are not acceptable.

- Roof Terraces. The same guidance notes as for balconies apply, but in addition care must be taken with the choice of paving material for the terrace. Bear in mind that many residents look over terraces towards the garden, so bright primary colours and Astroturf are not acceptable. Subdued colours and the use of natural materials are preferred. The erection of building, sheds or greenhouses is not acceptable.
- External Staircases. External staircases must be of painted metal, and wherever possible the balustrading should be of the same design of that used elsewhere in the building. Where there is no period pattern to follow, simple round or square balusters set at 100 mm centres are considered the most appropriate. Over-ornate Victoriana or other ornate ironwork is not acceptable.
- Other Metalwork. Railings and gates should again, wherever possible, match the original period detailing. Where there is no pattern to follow, the simplest design is usually the best. All external paintwork should be painted black or magnolia – care should be taken with the preparation of the metal to prevent rusting – prior galvanising of the metal is strongly recommended.
- Garden Walls. If you are thinking of building a wall in your garden you **must** write to the Managing Agents to get agreement. Low garden and other walls should match the existing brickwork, and be constructed of second-hand London stock bricks, or finished with painted stucco render as appropriate. Timber fences on top of low brick walls are not acceptable – railings should always be used if height is required. Reconstituted stone or concrete reproduction balusters are available from most good builders' merchants – glass reinforced plastic copies should not be used.
- Fences. Timber fences should not be erected fronting the communal gardens, but may be permitted on the dividing line between properties

provided that you have the agreement of your neighbours and provided that it is not more than 1.4m (4'6") in height. The appropriate style of railings or low brick walls must always be used fronting the communal gardens.

- Garden Paving. As with roof terraces, paving should be of a subdued colour and preferably of a natural material. Brightly coloured pavers should be avoided.
- Garden Sheds and Greenhouses. The nature of our properties means that there has to be a general presumption against the construction of sheds and greenhouses. Permission must **always** be sought from Crescent Amenity Limited **before** erection.
- External Pipework and Cabling. External pipework, except for rainwater pipes, should be avoided wherever possible. Grey plastic soil and waste pipes are unacceptable. Cast iron pipes should be painted gloss black. UPVC pipes must be also painted in black gloss, with particular attention to priming to avoid flaking. Please note that UPVC is not normally acceptable on a listed building. Cables and wires must be clipped to the building, not left hanging loose.
- External Lights. External lights must be in a style sympathetic to the building and sited in such a way that it does not affect the visual aspect of the building as a whole. Surface wiring is not acceptable.
- Entrance Tiling. The black and white tiling on the approach to the front door of each property is covered by the same conservation rules as the building. Any proposed change (other than a straight replacement) must be submitted to our Managing Agent.
- TV Aerials and Satellite Dishes. The guidelines to be followed are set out in some detail by the planning authorities of the Westminster City Council. The general rule is the fewer aerials the better, and all aerials should be so sited that they are not visible at street level. For full information please visit the Westminster City website.

- Air Conditioning Units. As with aerals, we follow the guidelines set out by Westminster City Council. Please visit their website for details. In addition to permission from Crescent Amenity Ltd, Planning Permission is always required for external condensing units and this will involve recording local noise levels during a 24 hour period in support of the application and in order to demonstrate that the installation will meet Westminster's environmental standards.