
Appeal Decision

Site visit made on 6 February 2017

by G J Fort BA PGDip LLM MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16 February 2017

Appeal Ref: APP/H5960/W/16/3161939

Flat Basement, 32 Altenburg Gardens, London SW11 1JJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Jocelyn West against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2016/4269, dated 19 July 2016, was refused by notice dated 30 September 2016.
 - The development proposed is the removal of the existing ground floor hard standing above the lower ground courtyard.
-

Decision

1. The appeal is allowed and planning permission is granted for the removal of the existing ground floor hard standing above the lower ground courtyard at Flat Basement, 32 Altenburg Gardens, London SW11 1JJ in accordance with the terms of the application, Ref 2016/4269, dated 19 July 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan 113.7/LP1; Proposed lower ground floor, proposed sections 113.7/201; Proposed front elevation, proposed ground floor plan 113.7/202.
 - 3) Any external materials to be used in the development hereby permitted shall match those of the existing building.

Procedural Matters

2. In the banner heading given above, I have modified the description of development given in the application form which read "Proposal aims to remove existing ground floor hard standing above lower ground court yard".
3. Whilst the submitted plans show details of an extension of the property at lower ground floor level, these aspects of the scheme benefit from planning permission¹. Accordingly, this appeal focusses on the proposed removal of the hard-standing as outlined in the description of development.

¹ Council ref 2016/1618

Main Issue

4. The main issue in this appeal is whether the proposed development would preserve or enhance the character or appearance of the Clapham Common Conservation Area.

Reasons

5. Situated in Clapham Common Conservation Area, the appeal building is one of a number of similar villas addressing Altenburg Gardens, a principally residential street, comprising, in the main, a mix of substantial terraced properties and villas. Brick is the predominant building material employed in the facades of the buildings of Altenburg Gardens with stucco, and richly ornamented detailing adding architectural interest and rhythm. The appeal building is an example of this, of three storeys and including a basement, with classical detailing imparting a dignified character to its front façade, the bay window of which extends from basement to ground floor. Whilst there is a more or less consistent building line along both sides of the street, the variety of styles of dwelling, including a considerable proportion without basements, have differing boundary treatments and planting schemes within their front gardens. The significance of the Conservation Area derives to a degree from the presence, rhythm and architectural detailing of the residential streets branching off from Clapham Common.
6. The proposed development would remove an area of hard standing adjacent to the pavement which extends over part of the appeal dwelling's lightwell.
7. In similar buildings to the appeal property along the street, I saw that some have removed some or all of the hard-standing over the lightwell and others had covered other parts of the lightwell. However, this is not immediately apparent from the street in views along the terrace, or from across the road, but only from more or less immediately outside the properties concerned. Elsewhere, where the hard-standings are retained, I saw that few of them had any meaningful landscaping treatment of any type, and as a result, taken together had a neutral effect on the streetscene.
8. The appeal building's hard standing is functional in character, particularly in terms of the metal railings around its perimeter and as a result contributes little to the character of the streetscene more generally or that of its host property. Its removal would facilitate soft landscaping at the basement level, which whilst not widely visible would soften this functional character. Furthermore, due to the extremely limited amount of hard-standing to be removed in the context of the considerable scale of the host property and its neighbours, the resultant lightwell would not appear to be of excessive depth, and thus would not undermine the architectural composition of the building's front façade.
9. Moreover, due to its functional character, lack of landscaping and limited potential for any meaningful planting, I consider that the hard-standing does not possess the character of a front garden. As a consequence, its removal would not conflict with Policy DMH5 of the Wandsworth Development Management Document (adopted March 2016) (the DMD) insofar as it seeks to ensure that proposals for lightwells retain at least 2m of front garden.

10. Thus for the reasons given above, the proposed development would cause no harm to the significance of the Conservation Area. Consequently, and conscious of my duty arising from section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I consider that the proposed development would preserve the character and appearance of the Conservation Area.
11. For these reasons also the proposed development would not conflict with Policies DMS1 or DMS2 of the DMD; or the National Planning Policy Framework (the Framework); or Wandsworth's Housing Supplementary Planning Document (adopted July 2015). Taken together, and amongst other matters, the policies and documents seek to ensure that developments sustain or conserve the significance, character and appearance of heritage assets.

Conditions

12. I have considered the suggested conditions supplied by the Council against the tests given in paragraph 206 of the Framework, which states that they should be necessary; relevant to planning and the development to be permitted; enforceable; precise and reasonable in all other respects.
13. In the interests of certainty, I have attached a condition specifying the approved plans. In order that proposed development is sensitive to the character and appearance of its host building and surroundings, I have attached a condition requiring the use of matching materials in any external surfacing work.

Conclusion

14. The proposed development would meet the requirements of the development plan insofar as the policies that have been drawn to my attention are concerned. Accordingly, for the reasons given above and having regard to all other matters raised, I conclude that the appeal should succeed.

G J Fort

INSPECTOR