The Planning Inspectorate

Appeal Decision

Site visit made on 7 February 2017

by Richard S Jones BA (Hons) BTP MRTPI

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

Decision date: 20 February 2017

Appeal Ref: APP/T5720/W/16/3161717
56A Leopold Road, Wimbledon, London SW19 7JD

- 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 Mr Alain Wong against the decision of the Council of the London Borough of Merton.
- The application Ref 16/P2001, dated 16 May 2016, was refused by notice dated 26 August 2016.
- The development proposed is the replacement of boundary treatment.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal relates to the front and part of the side boundary treatment of a large and attractive three storey, semi-detached property on the corner of Leopold Road and Dora Road, which has been converted into self-contained flats.

4. There is no uniform style or design to the boundary treatments along either road and as evidenced by the appellant, there are a number of examples of timber boundary fences. However, none appear quite as stark as that which has already been erected at the appeal site. This is due to the site's highly prominent position, the newness of the timber, and the strong horizontal emphasis to the timber slats, which contrasts with the predominantly vertically aligned timber slats in most other front boundaries, including Waterlily House.

5. I appreciate that the intention of the 2.1m section to the left of the shared entrance to the building is to provide security and privacy, however, this section appears excessively high and I am unconvinced that other less intrusive options would not reasonably achieve the same purpose. I acknowledge that the road rises along Dora Road from the back to the front of the site, but this section of fence is higher than any other part of the boundary and even rises slightly above the adjacent pier and its capping, and significantly above the rendered pier marking the pedestrian access. It also appears somewhat incongruous and haphazard set in isolation against the traditional brick wall to its side and the rendered wall below. It also relates poorly to the main building

insofar as it dominates and detracts from the attractive ground floor bay window and adjacent porch entrance, which are key architectural features of this prominent elevation. Whilst I accept that its length is slightly less than 4m, it is, nevertheless, located in a highly visible location.

6. I accept that the timber fencing to Waterlily House appears high. However, that encloses a contemporary style building, it has vertically aligned timber slats and on the basis of the figures provided by the appellant, is lower than this section of fencing. As such it does not justify the above stated harm. In any case I have considered the appeal proposal on its own merits.

7. The height of the enclosure across the frontage to Leopold Road is comparable with other boundary treatments within the street and its present stark appearance will become more muted and recessive as the timber weathers. Whilst the contrasting horizontal emphasis would remain, this would not, on its own, be sufficient reason to withhold planning permission. Therefore, taken in isolation, this element of the scheme is acceptable and I raise no concern regarding its alignment, which appears to reflect that which previously existed.

8. However, the fence significantly steps up in height after it turns the corner into Dora Road where it returns to front corner of the building. This appears odd and the back of the fencing and door, including their support posts, are clearly visible protruding above the front boundary fence in this exposed and prominent corner location. I have noted the letter submitted from the occupant of No 54 Leopold Road, that the fence does not obstruct views or sightlines, nevertheless, the step up does detract from the openness of the corner location in approaching views from the north east along Dora Road towards Leopold Road. I accept that the removal of planting which previously existed may have improved openness, however, as this has already been removed I am unable to compare. I also see no justification for the step up in terms of privacy or security, as it forms part of the lower enclosure to the front garden area, rather than a private amenity space.

9. Therefore, in overall terms, I conclude that the fencing is harmful to the character and appearance of the area and contrary to Policies DM D1, and DM D2 of the Sites and Policies Plan and Policies Maps and Policy CS 14 of the London Borough of Merton LDF Core Planning Strategy. These state, amongst other matters, that development proposals must impact positively on the character and quality of the public realm. In my view, the Council has correctly included Policy DM D2 in its reason for refusal, as this relates to design considerations in all developments, rather than to alterations and extensions to existing buildings, as is stated by the appellant.

Other matters

10. I note the appellant's concern regarding the way in with the planning application was handled by the Council, however, this is not a matter for this appeal which I have determined afresh and on its planning merits.

Conclusion

11. For the above stated reasons, and taking all other matters into consideration, I conclude that the appeal should be dismissed.

Richard S Jones Inspector