The Planning Inspectorate

Appeal Decision

Site visit made on 22 February 2017

by B M Campbell BA(Hons) MRTPI

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

Decision date: 2 March 2017

Appeal Ref: APP/T5720/C/16/3152327
25 Craven Gardens, Wimbledon SW19 8LU

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mr D Leonard against an enforcement notice issued by the Council of the London Borough of Merton.
- The enforcement notice was issued on 3 May 2016.
- The breach of planning control as alleged in the notice is the erection of a bicycle store consisting of a metal structure measuring 2.06 metres in width, 1.04 metres in depth and 1.34 metres at its highest point in the front garden of the Land.
- The requirements of the notice are to:
  1. Demolish the aforesaid bicycle store; and
  2. Clear the resultant materials from the Land and restore the Land to its previous condition.
- The period for compliance with the requirements is one month.
- The appeal is proceeding on the ground set out in section 174(2)(a) of the Town and Country Planning Act 1990 as amended.

Decision

1. The appeal is dismissed and the enforcement notice is upheld. Planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Main Issue

2. The main issue is the effect of the store on the Craven Gardens street scene.

Reasons

3. The major part of Craven Gardens comprises a straight road lined with closely spaced, semi-detached, Edwardian houses. The street has a most attractive homogenous appearance with the pattern of projecting bays with gables a major feature as one looks along the street due to the particularly shallow nature of the front gardens. Street trees, especially when in leaf make a positive contribution to the street scene. The restricted depth of the front gardens limits the opportunity for any significant planting and, in the main, the gardens are open in nature, many hard surfaced and framed with low walls.

4. The front garden of the appeal property is paved with grey tiles and bounded with a low wall and railings. The metal bicycle store fills the space between the front wall of the house and the front boundary wall at the eastern and is the only feature within this small open area. Rising as it does above the boundary wall and railings and above the cill of the ground floor bay windows it is a

prominent and discordant structure which damages the attractive setting of the house within its plot. Furthermore, in views along the road, and especially when the street trees are without leaf and the front of the buildings are more exposed, the store is an unduly intrusive and alien feature which detracts from the pleasing formal pattern of the repetitive house frontages.

5. I conclude that the development damages the Craven Gardens street scene. In so doing it conflicts with Core Strategy policy CS14 which requires development to be designed to respect, reinforce and enhance local character and with Sites and Policies Plan policy DMD2i and ii which, in short, require development to relate positively to its particular setting.

6. The Appellant has drawn my attention to other similar stores in the area and I took the opportunity to look at most of these. However, no situation is exactly the same as the appeal property. In this case there is no other store along the road and the front gardens are particularly exposed. The presence of others elsewhere does not justify a store here which would harm the appearance of this particular street. Moreover the Council has a duty to apply its policies consistently. If it is not doing so, then that is a matter for the Appellants to pursue with them.

7. For the reasons given I conclude that the appeal should not succeed.

B M Campbell

Inspector