
Appeal Decision

Site visit made on 15 February 2017

by Grahame Gould BA MPhil MRTPI

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

Decision date: 10th March 2017

Appeal Ref: APP/H5960/W/16/3164207

28 Thessaly Road, London SW8 4HR

- 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 Erez Zino of Eguizabal Construction Limited against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2015/3940, dated 17 July 2015, was refused by notice dated 1 June 2016.
 - The development proposed is Removal of lay-by and construction of a part four, part five, part six storey building, plus basement, comprising 20 residential units each with private balconies/terraces and a communal roof terrace at fifth floor level and dry gym at basement level plus associated cycle parking and landscaping.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The development would involve the construction of a block ranging in height between four and six storeys, with basement, which would accommodate 20 flats. The block would occupy a vacant plot of land at the corner of Thessaly Road and Carey Gardens. This development being an alternative to a scheme for 16 flats, which was subject to a planning permission granted on 8 October 2013 that was still extant at the time of the appealed application's determination, but which has subsequently expired.
 4. The site forms part of the Carey Gardens residential estate (the estate), a housing area that comprises three and four storey, flat roofed, blocks of flats that are arranged in terraces of a unified design. The estate has frontages to Thessaly Road, Condell Road and Carey Gardens and the uniformity of the design of the blocks is reinforced by the use of a simple palette of external materials, which is dominated by single colour brickwork. The development by contrast would introduce a building that would be between one and two storeys taller than the immediately neighbouring buildings and it would have a varied footprint, with the block being tiered to reduce its mass on the upper levels.
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5. I consider the block would be of a discordant form that would be excessive in scale, which would have an unduly fussy appearance, with the result that it would relate poorly to the neighbouring blocks in the estate. The block, given its height, would have a vertical emphasis that would be inconsistent with the blocks in the estate, which are characterised by having a horizontal emphasis. I therefore find that the scale of this development would look out of place and that it would be disrespectful of its surroundings and as such it would be an inappropriate landmark within the area.
6. I consider the intensity of flat provision would be in keeping with the area, however, that does not justify a building that would be visually out of keeping with its surroundings. I recognise that permission was granted for a block of a not too dissimilar scale and appearance. However, I consider that the scale of the block that was subject to the earlier permission was at the very margin of acceptability for this site's redevelopment and that the appeal scheme, by comparison, would be inappropriate.
7. I therefore conclude that the development would unacceptably harm the character and appearance of the area. There would therefore be conflict with Policy 7.4 of the London Plan of March 2016, Policy IS3 of the Wandsworth Local Plan Core Strategy of 2016 (the Core Strategy) and Policy DMS1 of the Wandsworth Local Plan Development Management Policies Document of 2016 (DMPD) because the development would not reinforce local character or achieve a high level of physical integration with its surroundings, given its scale, massing and appearance. There would also be conflict with paragraphs 56, 58, 61 and 64 of the National Planning Policy Framework because the development would not respond to the local character of the area and would therefore be of a poor design. As I have found that the block would be out of keeping with its surroundings, I consider that Policy DMS4 of the DMPD (tall buildings) provides no particular support for this scheme.

Other Matter

8. Under Policy IS5 of the Core Strategy and DMH8 of the DMPD the development would be of a scale that would require the provision of affordable housing within the Council's area, with it being accepted by the parties that that provision should be off-site, to be secured by the appellant making a financial contribution further to an obligation being entered into under Section 106 of the Act. There is, however, a disagreement between the parties as to whether the scale of the contribution should be reviewed prior to the scheme's completion. Given that disagreement a Section 106 agreement securing an affordable housing contribution, as well as contributions to other infrastructure, has not been entered into.
9. However, as this appeal is to be dismissed for another reason the absence of an executed Section 106 agreement is not determinative and it is unnecessary for me to comment any further on this matter.

Conclusion

10. For the reasons given above the appeal is dismissed.

Grahame Gould

INSPECTOR