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## Appeal Decision

Site visit made on 2 May 2017

**by C J Ford BA (Hons) BTP Dist. MRTPI**

**a person appointed by the Secretary of State for Communities and Local Government**

**Decision date: 12 May 2017**

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**Appeal Ref: APP/E5330/D/17/3171085**

**65 Maidenstone Hill, Greenwich, London SE10 8SY**

- 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 Daniel O'Connor against the decision of the Council of the Royal Borough of Greenwich.
  - The application Ref 16/1838/F, dated 12 June 2016, was refused by notice dated 3 January 2017.
  - The development proposed is described as 'to replace the white wooden picket fence and re-instate black railings sympathetic to the originals and with the addition of a gate'.
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### Decision

1. The appeal is dismissed.

### Main issue

2. The main issue in this case is the effect of the proposed development on the character and appearance of the host property and the surrounding area.

### Reasons

3. The appeal site is located within the West Greenwich Conservation Area (CA). In determining the appeal it is therefore necessary to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. The National Planning Policy Framework (the Framework) also sets out that conservation areas are designated heritage assets and that great weight should be given to the asset's conservation.
4. The West Greenwich Conservation Area Appraisal (2013) explains that the main contributor to the area's special character is its response to natural characteristics, including the hills and escarpment rising to Blackheath. The siting of the appeal property reflects this and forms part of a long two storey terrace that rises up Maidenstone Hill.
5. Apart from a small section of metal railings located between the neighbouring doors to Nos 69 and 71 Maidenstone Hill, the front boundary treatment to the terrace consistently comprises of white picket fencing. The uniformity of the terrace in this respect is visually pleasing and it forms an important part of the character and appearance of the street.
6. The appellant states that historically the property would have had black railings, as is evident from No 69 and these were presumably removed for the

war effort. No old photographs or similar evidence has been submitted which confirms that to be the case, or that the railings at No 69 are original. However, metal railings are a typical boundary treatment for the period of the properties and they appear elsewhere in the immediate area. Indeed, the Conservation Area Appraisal remarks that original nineteenth century cast iron railings survive in some places, including the terraces around Maidenstone Hill. It is therefore reasonable to assume the terrace would originally have had metal railings.

7. As noted by the appellant, there are examples in the wider area of picket fences sited next to metal railings and some of the properties located opposite have railings. Installing them would also seemingly be in keeping with the original form of the dwelling. Nevertheless, the appeal property must be considered in its specific context and in particular how it fits with the wider terrace of which it forms a part.
8. The now firmly established character of the terrace is for the front boundary treatment to comprise white picket fencing. The proposed departure from this would significantly undermine the unity and harmony that the terrace presently displays in this regard, detracting from an important part of the character and appearance of the street. It would result in the appeal property appearing incongruous and be harmful to the special interest of the CA.
9. The Framework specifies that where a development leads to less than substantial harm to the significance of a designated heritage asset, which applies in this case because the development only affects a small part of the CA, this should be weighed against the public benefits of the development.
10. The fact parts of the picket fence are rotten and appear unsightly in public views could be addressed by repairs to the existing form. Consequently, there would be no overriding public benefit arising from the proposed replacement with metal railings.
11. Accordingly, it is concluded that the proposed development would have an unacceptably harmful effect on the character and appearance of the host property and the surrounding area. It would fail to preserve or enhance the character or appearance of the CA.
12. The development would conflict with Policies 7.4, 7.6 and 7.8 of the London Plan (2016) as well as Policies DH1, DH3 and DH(h) of the Council's Core Strategy with Detailed Policies (2014). Amongst other things, the policies seek to conserve the significance of heritage assets and ensure proposals in Conservation Areas take account of the established pattern of development, building form and materials.

## **Conclusion**

13. For the reasons given above and having regard to all other matters raised, the appeal is dismissed.

*C J Ford*

APPOINTED PERSON