
Appeal Decision

Site visit made on 20 June 2019

by A Thompson BSc BTP MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 15th July 2019

Appeal Ref: APP/H5960/D/19/3226984
32 Headington Road, London, SW18 3PP

- 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 William Evans against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2018/5956, dated 16 December 2018, was refused by notice dated 3 April 2019.
 - The development proposed is removal of front boundary fence and formation of hardstanding in front garden.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development, as it is shown on the planning application and appeal forms, does not fully describe the development to which the appeal relates. I have therefore taken the description of development from the Council's Decision Notice as this is more accurate. This does not fundamentally change the scheme before me nor would it, in my view, prejudice the case of either party in relation to it. I have proceeded on this basis.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the Magdalen Park Conservation Area (the conservation area).

Reasons

4. The appeal site is located in the Openview Estate, a 1930's built estate comprising a mixture of two storey, terraced and semi-detached houses. The Magdalen Park Conservation Area Appraisal and Management Strategy (2009) (the appraisal) identifies the provision of close boarded timber fences and gates along the boundary of many properties, as a consistently used, and attractive feature, that gives the area character and thus adds to its significance.
5. The proposed development would involve the complete removal of the close boarded fence along the front boundary and the provision of a hardstanding on all but a small part of the front garden. A small flowerbed and the existing close boarded fencing, on the right hand side of property, would be retained.

6. The loss of the front fence, an attractive and original feature of the estate, and conversion of the front garden into a substantial hardstanding, which would dominate the appearance of the front garden, would be at odds with the prevailing character of the area, where many front gardens retain a front boundary fence and a substantial area of soft and/or hard landscaping.
7. The development would therefore fail to preserve or enhance either the character or appearance of the conservation area, although the scale of adverse impact would be less than substantial, given the limited scale and prominence of the development.
8. As the proposed development provides for two cars and a wide crossover, I do not consider that the proposal would free up a designated parking bay in the street. Even if that outcome could be achieved, I do not consider that this amounts to a public benefit that would outweigh the harm to the conservation area.
9. Nor do I consider that there are any other public benefits, which taken together, would outweigh that harm, given the considerable importance and weight that must be attached to the desirability of preserving or enhancing the character or appearance of the area¹.
10. I have had regard to the other properties that have been drawn to my attention. I note that the Council state that no planning permission was granted for the provision of a hardstanding at No.44 Headington Road. No.28 Openview is some distance from the appeal site and the layout, form and scale of development is different from the appeal proposals. In addition, each case must be considered on its own merits. Given these considerations, I consider these examples have limited weight in this case.
11. Similarly, I do not consider that the variation in the layout of front gardens and the provision of driveways that can be found in several properties in the surrounding area provides sufficient justification to allow this appeal, in the light of the findings of the detailed appraisal of the conservation area published by the Council and the prevailing character of the area.
12. I find that the development would be harmful to the character and appearance of the conservation area and thus would fail to preserve or enhance its character or appearance. This is contrary to policy IS3 of the Wandsworth Local Plan – Core Strategy (2016); policies DMS1 and DMS2 of Wandsworth Local Plan – Development Management Policies Document (2016), the Council’s Housing Supplementary Planning Document (2016) and the National Planning Policy Framework, in so far as these policies, guidance and the Framework seek to encourage good design and protect or enhance the historic environment.

Conclusion

13. For the reasons set out above, and having regard to all other matters raised, I dismiss this appeal.

Anthony Thompson

INSPECTOR

¹ Section 72(1) The Planning (Listed Buildings and Conservation Areas) Act 1990