
Appeal Decision

Site visit made on 14 January 2021

by Jonathon Parsons MSc BSc(Hons) DipTP Cert(Urb) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th March 2021

Appeal Ref: APP/A5270/D/20/3259166
203 Norwood Road, Southall UB2 4JF

- 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 J Sethi against the decision of the Council of the London Borough of Ealing.
 - The application Ref 201998HH, dated 22 May 2020, was refused by notice dated 28 July 2020.
 - The development is alteration to front and side boundary treatment including sliding gates.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The walls were in place at the time of my site visit and have been considered on the basis of being built. As requested, the scheme description detailed in the appellant's statement of case has been used above, instead of that in the original planning application.
3. The London Plan (LP) 2021 was adopted on 2 March and supersedes the London Plan 2016 (with Consolidated Alterations since 2011). Both main parties were consulted over this plan change and in this case, LP Policies D6 and HC1 are relevant now instead of previous LP policies.

Main Issue

4. The main issue is whether the scheme preserves or enhances the character or the appearance of Norwood Green Conservation Area.

Reasons

5. The appeal site comprises a rendered two storey dwelling which has been extended. There is an alleyway between the side of the dwelling and the neighbouring property at 205 Norwood Road. The appeal property fronts onto pavement, with the retrospective altered wall abutting it, and beyond the pavement, there is a major traffic throughfare along Norwood Road. It lies within the Norwood Green Conservation Area.
6. Within the Conservation Area, the surrounding streets mainly comprise detached dwellings and buildings set back from the road in spacious plots. The Norwood Green Conservation Area Character Appraisal 2007 details a very diverse architectural heritage with buildings of many historical periods and

development around a large green area, with significant trees. It also mainly comprises traditionally designed buildings where there are low walls, railings or hedging. Many walls are also constructed of red/brown brick. It is all these historic and architectural qualities that are of significance and high value, and of special interest to the Conservation Area.

7. The appeal property's front boundary has been increased in height to just below 2m and within its gaps, there are solid timber gates of similar height for vehicular and pedestrian access. Both the front and the existing side walls have also been rendered a whitish colour to match the existing house. This results in a visually solid, brightly faced and overly dominant feature that differs markedly from the reddish-brown and less extensive brick walls, railings and hedges that are generally characteristic boundary treatments in the area.
8. The timber gates could remain opened during the day but realistically, this would be a difficult undertaking. Inevitably, occupiers may forget due to human error and thus, it would be unreasonable to impose any condition requirement. Notwithstanding this, such an undertaking would not overcome the visual objections relating to the rest of the boundary treatments or the boundary treatments when the gates are closed, which could be during the evenings at lighter times of year.
9. Within the surrounding area, there are examples of high walls but these are the exception to the prevailing pattern of boundary treatments that are more open or landscaped and in any case, these examples do not contribute to the important qualities of the Conservation Area and its significance. All the examples, including those at 242 and 252 Norwood Road, also show brick as opposed to the coloured render for the scheme's walling. At 4 Thorncliffe Road, the flank wall does not abut the footway like the appeal scheme whilst its frontage wall, outside the Conservation Area, features railings to break up its solidness. Similarly, the wall at 214 Norwood Road has an intervening landscaped area between it and the footway. At 196 Norwood Road, the wall has lower height elements with hedging behind and pedestrian gate with railing. At 45 Craneswater Park, the wall further does not fall within the Conservation Area.
10. At 205 Norwood Road, the fencing is tall but the height is lower than the proposal, with the visual impact reduced due to the use of light weight timber materials, an irregular pattern, incorporation of visually permeable trellising and a more subdued brownish colour within a landscaped boundary. At 3/5 Thorncliffe Road, the wall and gates are high, solid and extensive in part along this road but closer to Norwood Road, the wall is lower with hedging behind. For all these reasons, there are material differences between the appeal scheme and these developments. Notwithstanding all these comments, every scheme has to be considered on its particular planning merits.
11. In accordance with the National Planning Policy Framework (the Framework), the type of harm identified above with the altered boundary treatments would be less than substantial. It is necessary that this identified harm is weighed against the public benefits of the scheme.
12. The appellant has been a victim of crime with a high value vehicle being stolen and anti-social behaviour remains a significant concern in and around the property. The changes to the boundary treatments have taken place to protect his family, possessions, and property. The altered boundary treatments have

also been constructed to protect privacy. In front of the property, there are pedestrian passer-by's, traffic along Norwood Road and Thorncliffe Road, which at times would be slow-moving.

13. However, any benefits have to be weighed against the adverse impact on the significance of the Conservation Area for which considerable importance and weight is required to be attached. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
14. In this regard, the adverse impact would be significant and permanent, and alternatives to overcoming the crime and anti-social issues have not been explored and assessed. Turning to privacy, the vast majority of passer-by's and vehicle occupants are unlikely to be looking into the property as they will be on the move. Drivers will be normally concentrating on the road rather than being distracted looking at a property. There is no evidence of people loitering near the property. Importantly, the amenity value of the frontage is low given the frontage is hard surfaced and not garden. Front windows are also well set back from the pavement and road. Therefore, the benefit of the altered treatments for privacy has not been proven and, in any case, any increased privacy is a benefit for the occupiers rather than a public benefit.
15. In conclusion, the harm to the significance of the Conservation Area would outweigh the scheme's benefits. The front and side boundary treatments fail to preserve the character and appearance of the Conservation Area. Accordingly, the development conflicts with policies 7.4, 7B and 7C of the Ealing Development Management Development Plan Document 2013 and Policies D6 and HC1 of the LP. It would also conflict with the guidance of the Norwood Green Conservation Area Management Plan 2007 which indicates boundary walls should be in keeping with the style within the Conservation Area. The scheme would not accord with the development plan and for the reasons indicated, there are no other considerations to outweigh that finding.

Conclusion

16. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Jonathon Parsons

INSPECTOR