The Planning Inspectorate

Appeal Decision

Site visit made on 12 June 2023

by Mr C J Tivey BSc (Hons) BPl MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 June 2023

Appeal Ref: APP/H5960/D/23/3319728
1 Genoa Avenue, Wandsworth SW15 6DY

- 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 A Taylor against the decision of Wandsworth Council.
- The application Ref. 2022/4186, dated 11 October 2022, was refused by notice dated 9 January 2023.
- The development proposed is for the replacement of an existing front garden wall with new walls, piers and railings, including vehicle and pedestrian entrance gates.

Decision

1. The appeal is allowed and planning permission is granted for the replacement of an existing front garden wall with new walls, piers and railings, including vehicle and pedestrian entrance gates at 1 Genoa Avenue, Wandsworth SW15 6DY in accordance with the terms of the application Ref 2022/4186, dated 11 October 2022 subject to the condition set out below:

   1. The development hereby permitted shall begin not later than three years from the date of this decision.

   2. The development hereby permitted shall be carried out in complete accordance with the following approved plans: 672/09, 672/11 and 672/21.

   3. No development shall take place above ground level until details and samples of materials proposed to be used on all external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved materials and thereafter so retained.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the West Putney Conservation Area.

Reasons

3. The appeal site is situated within an established residential area whereby front boundary treatments vary, but gradually comprise hedges below low brick walls, brick walls, and brick walls with railings on top, with some properties having wrought iron gates.

4. 1 Genoa Avenue currently has a hedge behind a low brick wall to the southern side of the front boundary with a very low hedge behind another low section of wall to the north of the pedestrian entrance path, between it and the property's driveway. The former section of high hedge is shown to be retained on the submitted proposed site plan.

5. I note reference within paragraph 8.44 of the West Putney Conservation Area Appraisal and Management Strategy to the historic use of closeboarded timber fences on low brick base walls for almost all the houses, however, such a form of boundary treatment is not commonplace within the immediate locality of Genoa Avenue or Hazlewell Road for that matter. I acknowledge that the Council's Housing SPD stipulates that, generally speaking, traditional front garden boundaries within the Borough are around 1.2m to 1.4m high overall however that is clearly not the case within the locality within which the appeal site is found.

6. Whilst each case must be assessed on its own merits, railings atop low brick walls with brick piers at each end are quite commonplace and further I note that 1.7m would be the highest point with the road sloping upwards in a southerly direction. Therefore I disagree that brick walls and railings are not characteristic of the area, but the retention of the quite substantial section of hedge would go some way in softening the proposal's visual appearance.

7. I therefore find, on balance, that the proposal would preserve the character and appearance of the Conservation Area and no harm would result to the significance of the designated heritage asset. The proposal complies with Policies DMS1 and DMS2 of the Wandsworth Local Plan Development Management Policies Document (2016) which together state that planning permission will be granted for developments which comply with a number of criteria, where relevant, including ensuring that the scale, mass and appearance of development provides a high quality and sustainable design that contributes positively to local spatial character, whilst ensuring that they sustain, conserve and, where appropriate, enhance the significance, appearance, character and setting of heritage assets.

Conclusion and Conditions

8. For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should succeed.

9. Other than the standard time limit condition the Council recommends that conditions are imposed that require the development to be carried out in accordance with the approved plans and that details and samples of materials proposed to be used are submitted to and approved in writing by the Local Planning Authority. I consider it is not necessary for the latter to constitute a pre-commencement condition, rather such details should be provided before the wall is constructed above ground level following demolition of the existing, this together with condition no2 are necessary in the interests of preserving the character and appearance of the Conservation Area.

C J Tivey

INSPECTOR