The Planning Inspectorate

Appeal Decision

Site visit made on 23 November 2023

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 December 2023

Appeal Ref: APP/H5960/D/23/3326839
35 Melrose Road, London SW18 1LX

- 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 Paul Richard Hunt against the decision of Wandsworth Council.
- The application Ref 2023/1454, dated 15 April 2023, was refused by notice dated 5 July 2023.
- The development proposed is the erection of a replacement front boundary in the form of a 1.7m high wall with gate.

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Wandsworth Local Plan is referenced in the Council's Decision Notice as 'draft'. It was subsequently adopted on the 17th of July 2023 and I shall cite its policies below.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host property and the locality.

Reasons

Character and appearance

4. The appeal property a two-storey semi-detached dwelling with interesting elevations, a generous plot and wooden fencing as front boundary treatment. The property is early twentieth century and the street features these and other properties from different eras including those of Georgian style. Front boundary treatments vary accordingly and on the appeal property's side of the road low walls often feature as do other styles of fencing. The locality is of established residential character and buildings, gardens, boundaries and spaces all come together to offer a scene of pleasing appearance.

5. The site lies within the West Hill Road Conservation Area. There is a duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of a

Conservation Area. Policy LP3 of the Wandsworth Local Plan (July 2023) (LP) reflects the importance placed on Conservation Areas.

6. The Appellant has sought to take some lead from other structures in the street particularly by the selection of yellow brick old London stocks. However, there are three flaws with this. Firstly, unlike at some other dwellings in the road, these bricks do not reflect the materials used on the host property. Secondly, the scheme would be much more visually dominant than others down this row because of main height and solidity and also the number and excessive scale of the pillars. Thirdly, the period of the host property, in contrast to some of the others, would suggest that to be authentic there should be incorporation of timber within the front boundary.

7. In this context I find that the proposal would be jarring on the eye, appear awkward and incongruous in front of the host property, and diminish the character, visual and heritage qualities of this street scene.

8. Having regard to the foregoing I conclude that there would be conflict with S72(1) of the Act and LP Policy LP3; there would not be preservation of the character and appearance of the Conservation Area. Additionally, I conclude that the scheme would run contrary to LP Policies LP1, LP2 and LP5. These policies share common themes of seeking to deliver well designed alterations and development which respects and complements context through, amongst other matters, suitable scale, appearance and siting.

Other matters

9. I understand the wish to replace the existing well-weathered boundary fencing and I take the point about the neighbouring, originally matching, structure being no longer fully harmonious. However, I consider that there needs to be a solution found to front boundary treatment which would be more subtle and appropriate in scale, design and materials to the appeal property and the wider scene then the scheme before me. I hope the Appellant and Council can reach satisfactory agreement on a revised approach.

10. I have carefully considered all points raised by the Appellant and I conclude that the matters do not outweigh the concerns which I have in relation to the main issue identified above.

11. I confirm that policies in the National Planning Policy Framework (the Framework) have been considered. Key objectives of the Framework are to protect and enhance the qualities of the built environment as well as to safeguard heritage assets; the development plan policies which I cite mirror these. The Framework underlines that great weight should be given to a heritage asset's conservation. The appeal proposal would lead to less than substantial harm to the significance of the designated heritage asset however what public benefits there would be would not outweigh this harm. Furthermore, there are no other benefits, including to the Appellant, which to my mind would be of a scale to outweigh the harm to the Conservation Area which I have identified.

Overall conclusion

12. For the reasons given above I conclude that the appeal proposal would have unacceptable adverse effects on the character and appearance of the host property and the locality. Accordingly, the appeal is dismissed.

D Cramond
INSPECTOR