
Appeal Decision

Site visit made on 16 September 2020

by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 September 2020

Appeal Ref: APP/X5210/D/20/3253826

41 Hillfield Road, London NW6 1QD

- 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 Dr Tara Porter against the decision of the Council of the London Borough of Camden.
 - The application Ref 2019/3468/P, dated 5 July 2019, was refused by notice dated 5 May 2020.
 - The development proposed is the erection of a front garden boundary wall with bin enclosure (retrospective).
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. I have used the description of development as it is shown on the Council's decision notice since it best describes the development to which the appeal relates. It does not fundamentally change the appeal scheme nor the case of either party in relation to it, to the extent that they will not be prejudiced. I have proceeded on this basis.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area.

Reasons

4. The appeal site comprises a two storey Victorian terraced dwelling set back from and facing the road. There is a small garden area to the front that gives access to an inset front door beside a two storey forward projecting bay feature. At the front boundary where the plot abuts the back edge of the footway a rendered wall has been erected. It has been painted white and, on the inside, it incorporates a covered store for wheelie bins.
5. The street scene displays a number of different boundary treatments to the front of what are largely uniform property types lining either side of Hillfield Road. They do vary in total height but on the whole tend to be low rise (noticeably so in comparison to the appeal scheme) with overhanging hedges and plants in places. This garners a verdant street scene character with open and largely visible front gardens.

6. It is in this context that the wall at the appeal site appears overly high and the use of a bright panted render (whilst not uncommon in itself) makes it stand out as something of an alien feature. It accordingly creates a strong sense of enclosure to the plot, detaching it from the remainder of the street and reducing the sense of openness in the street scene. I do not object to the principle of a bin store in the front garden per se. Indeed, I saw on my site visit a number of unobtrusive timber examples with side hung doors. That said, the bin store in the case of the appeal scheme is part of the same overall structure as the front wall, contributing to its mass and thus presence at the front of the plot and consequently the harm I have found. Harm that would be caused to the character and appearance of the area, such that it conflicts with Policy D1 of the Local Plan¹ and Policy 2 of the Neighbourhood Plan². Together, and amongst other things, these policies seek to secure high quality design in new development which complements and enhances the distinct local character and identity of the area.

Other Matters

7. There is a front boundary of a comparable height at No 57 and whilst this includes brick pillars they are not rendered, are narrow features in themselves and the remainder of the boundary is constructed of metal railings which still allow the front garden of the plot to be appreciated. This aside, I am not sure of any planning permission that this front boundary benefits from. I am not therefore minded to allow the appeal scheme in this light.
8. There is a hedge immediately adjacent the wall which forms the front boundary to No 43. It is of similar height. Nevertheless, the hedge is a natural planted feature that contributes positively to the verdant character of the street scene. The wall, being a tall, built means of enclosure using a painted render exterior has a more stark and anomalous presence than the hedge. In any case, landscaping such as trees and hedges is not development for which planning permission is required. The hedge at No 43 does not therefore sufficiently reduce the impact of the wall to the point it would be acceptable.
9. As I have explained above, I do not object to the addition of a bin store. I agree with the appellant that they allow what are unsightly receptacles to be hidden from view. The store also, it seems from the evidence, incorporates a space to keep bicycles. Even so, and as I also observed at my site visit, there are other ways in which these types of storage can be facilitated such that I cannot see that they would justify the appeal scheme, especially in light of the harm it causes.

Conclusion

10. The appellant alludes to some support for the development from neighbouring occupiers, but this does not absolve me from making an assessment as to its planning merits which I have done and for the reasons I have given, the appeal is dismissed.

John Morrison

INSPECTOR

¹ The London Borough of Camden Local Plan 2017

² Fortune Green and West Hampstead Neighbourhood Plan 2015