
Appeal Decision

Site visit made on 6 December 2016

by Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12 December 2016

Appeal Ref: APP/P5870/D/16/3160428
54 Foresters Drive, Wallington SM6 9DG

- 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 & Mrs Mustapha Kolak against the decision of the Council of the London Borough of Sutton.
 - The application Ref D2016/74901/HHA, dated 12 July 2016, was refused by notice dated 6 September 2016.
 - The proposed development is described as the retention of a boundary fence.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. While the development is described as the retention of a boundary fence, it relates to the raising of a boundary wall together with the installation of a metal grille above, as well as sliding gates. At the time of my visit, the works indicated on drawings No 1099_P06 SITE LAYOUT/ FENCE PLAN and No 1099_P07 FENCE ELEVATIONS appeared partially complete. For the avoidance of doubt, my determination of the appeal is based on the drawings submitted and not on the works as constructed.

Main Issue

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

Reasons

4. The street scene of Foresters Drive and The Newlands is distinguished by the green and spacious street layout derived as much from the planted front gardens and the low and soft-textured front boundary enclosures of the houses as from the numerous street trees in the grass verges of the footways. The prevailing enclosures to the front gardens of the surrounding houses are generally low walls of a few courses of brick or artificial stone and some with hedges above. This allows the space between the front gardens and the street to be undivided, which contributes to the distinctive, green, and spacious suburban character of the area and reflects the open area leading to Roundshaw Park, on the opposite side of the street.
 5. In the context of the relatively low enclosures to the surrounding houses, an enclosure along Foresters Drive of the height proposed would appear fortress-
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like in the street scene and would undermine the open character between the houses and the street, the positive effects which have been described above. Its design and materials would have little in common with the boundary enclosures of surrounding houses, presenting an uncharacteristically hard and dominant form in the street scene. The enclosure along The Newlands, taller than that proposed along the Foresters drive boundary, appeared complete at the time of my visit, and its effect on the street scene more pronounced than that identified along Foresters Drive.

6. I have taken into account that the development raises the height of an existing brick wall by only approximately five courses of brickwork; however this does not diminish the harm identified above. The Council describes the previous wall along The Newlands as being partly rendered but retaining brick detailing, and I note the appellant's desire for the finish of the boundary wall to match that of the house. However, the other houses in the streets are rendered yet their front boundaries tend to be built from materials which contrast to render, most commonly brick, rather than repeat the use of render. The exclusive use of render for the boundary enclosure would be at odds with the character of enclosure in the area. I note the front enclosure with tall piers at 50 Foresters Drive, which the Council says does not have planning permission. It also appears substantially shorter, less solid, and less dominating in the street scene than this proposal, and it is made of brick rather than render.
7. The proposed development would harm the appearance of the street scene and the character of the area. While Policy DM3 of the Site Development Policies 2012 (SDP) to which the Council refers has less relevance to this proposal, it would be in conflict with SDP Policy DM1 which seeks development that maintains and enhances the local character and appearance of the surrounding area. It would also conflict with the guidance in paragraph 58 of the National Planning Policy Framework 2012, that development should respond to local character, and with the advice in the Planning Practice Guidance¹ which suggests that development should seek to promote character in townscape and landscape by responding to and reinforcing locally distinctive patterns of development.

Conclusion

8. For the reasons given above, and taking account of all matters raised, I conclude that the appeal should be dismissed.

Patrick Whelan

INSPECTOR

¹ Planning Practice Guidance, DCLG 2014 as amended, Paragraph:007, ID 26-007-20140306