The Planning Inspectorate

Appeal Decision

Site visit made on 18 July 2017

by Simon Warder MA BSc(Hons) DipUD(Dist) MRTPI

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

Decision date: 31 July 2017

Appeal Ref: APP/G5180/D/17/3177156
27 Court Farm Road, Mottingham, London SE9 4JL

- 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 Barry Tucker against the decision of the Council of the London Borough of Bromley.
- The application Ref DC/16/05568/FULL6, dated 5 December 2016, was refused by notice dated 18 April 2017.
- The development proposed is metal decorative 6ft railings around perimeter of front garden with automatic sliding driveway gates.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character of the area.

Reasons

3. The appeal property is prominently located at the junction of Court Farm Road and Silverdale Drive. Whilst there is some variation in the treatment of front garden boundaries in the area, most have low walls, railings or planting. This provides a spaciousness which contributes positively to the character of the area.

4. The proposed 1.9m high railings would extend around the front of the appeal property on three sides, including both road frontages. I recognise that the front of the appeal property is currently bounded by fairly tall hedging. However, the proposed railings would be far more permanent and have a harder, more engineered appearance. As such, as well as being very prominent in the street scene, their height and appearance would be out of character with the prevailing pattern of front boundary enclosures.

5. The appellant has referred to other properties which have fencing or gates of a height similar to the appeal proposal. The fencing at 1 Crossway encloses the side of the rear garden of the property and is, therefore, required for privacy. Whilst I recognise that there are other instances of tall front boundary enclosures, including some on the opposite side of Mottingham Sports Ground, they are isolated examples which do not contribute positively to the character of the area. Consequently, they do not provide a robust justification for the appeal proposal.

6. Therefore, I find that the proposal would have a harmful effect on the character of the area. As such, it would conflict with Policy BE1 of the Council's Unitary Development Plan 2006 to the extent that it requires development to be of a high standard of design which does not detract from the existing street scene. It would also conflict with Policy BE7 which seeks to resist the erection of high or inappropriate enclosures where they would erode the open nature of the area, or adversely impact on local townscape character.

Other Matters

7. The appellant has expressed concern regarding the time taken by the Council to determine the application. However, it was open to the appellant to appeal against the failure of the Council to determine the application within the statutory time limit. My decision is based on the planning merits of the proposal.

Conclusion

8. For the reasons set out above, the appeal should be dismissed.

Simon Warder

INSPECTOR