



Appeal Decision

Site visit made on 1 October 2020

by Alex Hutson MRTPI CMLI MArborA

an Inspector appointed by the Secretary of State

Decision date: 14 October 2020

Appeal Ref: APP/W5780/D/20/3246743

40 Cheyne Avenue, South Woodford, London E18 2DR

- 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 Ayo Fifo against the decision of the Council of the London Borough of Redbridge.
 - The application Ref 3632/19, dated 3 September 2019, was refused by notice dated 30 October 2019.
 - The development proposed is erection of front boundary fence up to 1450mm high and sliding gate of 1450mm high.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. The application was made in the name of Mr Ayo Fifo, though the appeal was made in the name of Mr Dickson Famutimi. Normally, only the original applicant can appeal the Council's decision. However, having seen relevant correspondence, I am satisfied that the appeal can proceed in the name of Mr Ayo Fifo, who is the agent acting on behalf of Mr Dickson Famutimi, and this is reflected in the banner heading above.
3. Some new boundary treatment has recently been constructed to the front of the appeal property and reference to this is made within the appellant's evidence. However, it does not reflect that which is shown on the submitted plans and it is my understanding that it does not benefit from planning permission. Accordingly, I have considered the appeal on the basis of the submitted plans and on the basis that the proposal is not retrospective. Should the appellant wish to pursue consent for the front boundary treatment as built, a retrospective application in respect of it should be made to the Council.

Main issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

5. The appeal property is a two storey semi-detached dwelling located within a wider residential area. Dwellings along Cheyne Avenue typically display front boundary treatments comprising a variety of low-level brick walls, hedges and

gates of a modest scale, or a combination of these. This low-key pattern of front boundary development affords an open quality to the streetscene of Cheyne Avenue and contributes positively to the character and appearance of the area. Prior to the construction of the current boundary treatment, the appeal property, as shown in a photograph provided by the appellant, comprised of a low brick wall with open vehicular access consistent with the prevailing pattern of development along the road.

6. The proposal seeks to construct four brick piers along the side boundaries of the front courtyard of the appeal property with brick walls and railings between these, and a full width sliding gate along its frontage between the two end piers. The piers and sliding gate would be of a height of 1450mm and the brick walls and railings would be a height of 1250mm.
7. I acknowledge that the appellant has sought to use brickwork within some of the proposed boundary treatment to reflect the brickwork of the low walls which previously existed. I also note the appellant's contention that a similar design and use of materials could be used for boundary treatment of up to a metre in height under permitted development rights.
8. However, the overall height of the proposed boundary treatment and its full width sliding gate would appear at considerable odds with the predominant low-key front boundary treatment which is typical along Cheyne Avenue. In addition, it would noticeably erode the open quality of the streetscene. The proposal would thus appear as an incongruous addition to Cheyne Avenue and would fail to respect the prevailing pattern of development along the road.
9. The appellant makes reference to the front boundary treatment at Nos 17 and 47 Cheyne Avenue, which I am informed are of a height of 1700mm and 1500mm respectively. However, No 17 comprises a combination of brick piers, low brick walls with railings and a pedestrian and vehicular access gate and as such is not wholly comparable to the proposal before me which includes a full width sliding gate. In addition, given its height, I cannot be certain that, although the Council suggests otherwise, it benefits from permitted development rights and if not, whether it benefits from planning permission. Whilst the front boundary treatment at No 47 comprises full width railings and gates, I am also uncertain as to whether this benefits from planning permission. In any event, the heights and appearance of these two examples are untypical of most boundary treatment along Cheyne Avenue and thus do not justify a planning permission.
10. I observed the recently constructed boundary treatment at No 38 which comprises brick piers with brick walls and railings between them along a partial section of the frontage of this property. The appellant refers to it and I understand that it is around 1375mm in height. Nonetheless, it does not comprise a full width sliding gate and maintains an open vehicular access. Moreover, there is again no evidence before me to demonstrate that it benefits from planning permission.
11. The appellant also makes reference to examples of front boundary treatments of some properties along Broadwalk. However, as these properties are located on a different road, they do not share the same context as the appeal property and, as such, also do not justify a planning permission.
12. In light of my above findings, I conclude that the proposal would give rise to considerable harm to the character and appearance of the area. This would be

contrary to Policies LP26 and LP30 of the Redbridge Local Plan 2015-2030 adopted 2018, which require, amongst other things, development to respect the local character of the area and to maintain or improve the appearance of the locality or streetscene.

13. Whilst both parties refer to the Redbridge Housing Design Supplementary Planning Document 2019 in their evidence, I have not been provided with a copy of this to allow me to consider it in any further detail.

Conclusion

14. For the reasons set out above, and having regard to all other matters, I conclude that the appeal should be dismissed.

Alex Hutson

INSPECTOR