
Appeal Decision

Site visit made on 30 October 2020

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 November 2020

Appeal Ref: APP/Z5630/D/20/3249941

6 Broomfield Road, Tolworth, Surbiton KT5 9AZ

- 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 Nigel Gilroy against the decision of the Royal Borough of Kingston Upon Thames.
 - The application, Ref. 19/01793/HOU, dated 24 July 2019 was refused by notice dated 20 January 2020.
 - The development proposed is the erection of front and side boundary treatment to include 1.8m (amended to 1.6m 15/11/19) fence (amended to a railing) and 600mm brick/concrete coping walls with four bi-folding gates and one single gate all with metal railings. Front of the right hand bay window to be finished with permeable paving.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) the effect of the proposed boundary treatment on the character and appearance of the Broomfield Road street scene and (ii) the effect on pedestrian safety.

Reasons

3. On the first issue, I saw on my visit that for the first 30 to 40 metres of Broomfield Road from its junction with Ewell Road there is the Bright Horizons Day Nursery and Preschool in the large former church building on the north west side. On the opposite side is a new brick wall to the rear flank of No. 311 Ewell Road, terminating in the access to a couple of old style lock up garages.
 4. From this point onwards the rest of the road, starting with the appeal property next to the garages and opposite on the north west side the first of several gable fronted houses, there is a distinct change of character and appearance. In describing this, the officer's report refers to '*a pleasant suburban street with period properties and a relatively open and verdant appearance that includes some hedgerow boundaries and an abundance of street trees. The majority of front boundaries are open plan or demarcated by dwarf or low set walls*'.
 5. I consider that this is a fair description and that in this context the proposed boundary wall / railings to a height of 1.6m (amended from 1.83m) would draw the eye as an unduly imposing and inappropriate enclosure of the front curtilage. Indeed, a formal enclosure of this type would run directly counter to
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the much more open and 'softer' boundary treatment for most of the other houses. And the combination of structure's height and double frontage length in this case would further increase its prominence to make the boundary stand out in views along the road far more than the other cases referred to.

6. I have carefully studied the grounds of appeal which include the appellant's reasons for the application and relevant correspondence with the Council. However, I am not persuaded that other boundary treatments of a smaller scale and more sympathetic design for this context would fail to remedy the disadvantages of the existing boundary to the property.
7. I agree with the Council that none of the examples shown in the photographs are a precedent for the appeal scheme and I have already made the point that the wall and rail boundary to the Day Nursery building and the wall opposite (since rebuilt) are in the part of the road that has a quite different character, notwithstanding its proximity.
8. Turning briefly to the second issue of pedestrian safety, I acknowledge that the substitution of railings for the slatted fence panels is an improvement but the railings remain an impediment to inter-visibility between exiting vehicles and users of the path.
9. Overall, I conclude that the proposed boundary treatment would have an unacceptably harmful effect on the character and appearance of Broomfield Road and pedestrian safety. This would conflict with Policies CS8 & DM10 of the Kingston Upon Thames Core Strategy 2012 and the Council's Residential Design Guidance SPD 2013.
10. The appeal is therefore dismissed.

Martin Andrews

INSPECTOR