

Appeal Decision

Site visit made on 18 December 2020

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

an Inspector appointed by the Secretary of State

Decision date: 9th March 2021

Appeal Ref: APP/P5870/D/20/3260264

45 Pine Walk, Carshalton, Surrey SM5 4ES

- 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 Carey against the decision of the Council of the London Borough of Sutton.
 - The application, Ref. DM2020/00884, dated 18 June 2020 was refused by notice dated 13 August 2020.
 - The development proposed is the provision of two pair automated vehicle access gates with the retention of brick piers and walls.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The application is in part for retrospective permission.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area, having regard to Pine Walk being designated as an Area of Special Local Character ('ASLC').

Reasons

4. I saw on my visit that Pine Walk is characterised by essentially open frontages with most of the houses having front boundary low brick walls, some of a metre or so height but in many cases less than this. This inter-visibility between the front gardens and the road with its mature tree belt provides a pleasing sense of openness with a spacious and verdant character.
 5. At the appeal property, the brick walls and piers have already been built with a design that includes the wall at 1.0m height including the horizontal brick capping; four pillars at 1.2m, and the four gate piers at 1.8m. The black painted steel gates at a height of 1.1m would be lower in their centres, but rise to 1.5m at the edges where they are attached to the brick piers.
 6. The combination of different wall heights and their curvature and the curved tops of the gates would together present a boundary somewhat over-detailed in appearance, at odds with the much more simple and unassuming design of the entrances to the other front curtilages in Pine Walk. And when this detailing is read together with the greater height of some elements of the wall and gates
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compared to many others in the road, I consider that the Council is correct to regard the proposal as being somewhat 'obtrusive and incongruous'.

7. The design and materials are not in themselves unpleasing and would no doubt be in keeping with their context in some residential areas that are rather more urban in character. However, in the more informal, low density and green surroundings of the ASLC, I consider that the proposed boundary treatment would draw the eye as being a discordant feature at odds with the other frontages in this part of Pine Walk. As such, it would be detrimental to the character and appearance of the area. In particular, the degree of enclosure of the front garden would be an alien feature in the street scene.
8. I have noted the appellant's statement in which he describes the objectives for the improvement of the property and the alleged mis-information supplied by a contractor. However, I must determine the appeal on its particular merits as proposed and presented in the application.
9. On the security issue, there are other protective measures that can be employed. And if this concern was to carry significant weight in this appeal and permission granted, there would be no reasonable basis for resisting similar proposals that cumulatively would have a significantly adverse effect of the quality of the ASLC.
10. I have also looked at the appellant's large number of photographs of other front boundary schemes in Pine Walk and neighbouring roads that are considered to set a precedent. There are a couple that arguably have the same harmful impact as in this case, but the majority do not have the same combination of features, as referred to in paragraphs 5 & 6 above, which led to the Council's refusal of permission.
11. Overall, and having had regard to all other matters raised, I conclude that in its present form the boundary treatment would unacceptably harm the character and appearance of Pine Walk and the ASLC in conflict with Policies 28 & 30 of the Sutton Local Plan 2018; the Council's Design of Residential Extensions SPD4 and Section 12: 'Achieving Well-Designed Places' of the National Planning Policy Framework 2019.
12. For these reasons the appeal is dismissed.

Martin Andrews

INSPECTOR