
Appeal Decision

Site visit made on 8 August 2022

by F Harrison BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 September 2022

Appeal Ref: APP/N5660/W/22/3295963

1B Rosendale Road, London SE21 8DS

- 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 Julia Vendramin against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 21/01722/FUL, dated 27 April 2021, was refused by notice dated 11 October 2021.
 - The development proposed is extending the height of existing front-facing fence from approximately 1m to approximately 2m.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. From my site visit I saw that development has been completed. The development appears to be in accordance with what is shown on the submitted plans, as such I have dealt with the appeal on the basis of the submitted plans.

Main Issues

3. The main issues are:
 - the effect on the character and appearance of the area; and
 - the effect on highway safety.

Reasons

Character and Appearance

4. The appeal site is located on a corner plot fronting Rosendale Road and Tritton Road. Boundary treatments in the area along both roads vary in height and design, and there is a tall boundary treatment opposite the appeal site. However, they are predominantly of a low height, comprising hedging, brick walls and timber fences, leading to an inherent general conformity that contributes to the character and appearance of the area overall.
5. The development at the appeal site has been constructed from white rendered walls and timber inset panels wrapping around the corner plot, with a timber gate on the Rosendale Road frontage. While it may be that it is aligned with the previous boundary, the plans show this as a wall with open railings that would have had a degree of visual permeability. I understand that the previous boundary may not have been wholly characteristic of the area, however, the

height of the development and its solid appearance rather than being a positive design feature, draws the eye and is also uncharacteristic of the surrounding area.

6. The fence opposite the appeal site is taller than other boundary treatments in the area and also wraps around a corner, however the appeal development is taller still and of a different appearance. Therefore, it is seen as a discordant addition that does not relate positively to the character and appearance of the area. It cannot be said to offer visual continuity with the boundary treatment opposite in either height or appearance.
7. A number of photos of other boundary treatments are before me, however these do not appear to be directly comparable to the height and appearance of the development. Moreover, in the area immediate to the site I saw no examples of boundary treatments of a similar height or appearance to the appeal development. These other examples do not, therefore, lead me away from the above findings.
8. The tall boundary treatment has secured privacy to allow the creation of an area of private amenity space at the front of the property. However, it has not been shown that this is the only option available to achieve such aims, so I give this limited weight.
9. For the reasons above, the development is harmful to the character and appearance of the area, in conflict with Policies Q2 and Q15 of the Lambeth Local Plan (2021) when read as a whole. These policies expect boundary treatments to respond positively to their locally distinct context in terms of height, design and appearance and not compromise visual amenity from the public realm, and for front boundaries not to exceed 1.2 metres unless specifically justified by the character of the locality.

Highway Safety

10. The boundary treatment that has been constructed is of considerable height and is sited on the back of the footway. Policy Q15 of the Lambeth Local Plan (2021) sets a maximum standard of 900mm for boundary treatments at a vehicle crossover. I have no reason to deviate from this as the taller boundary restricts visibility of pedestrians at the access. While the boundary treatment wraps around the corner, this does not have an effect on the visibility at this access. Moreover, the development is not comparable to the opposite fence which is not as tall.
11. Consequently, the development causes harm to highway safety, in conflict with Policy Q15 of the Lambeth Local Plan (2021) which amongst other things, expects boundaries flanking a vehicle crossover to not exceed 900mm in height to maintain sight lines.

Other Matters

12. I note the appellant has sought to demonstrate that the development complies with Policy Q5 from the Local Plan, in particular that the development makes a distinction between private and public space and the siting of the boundary treatment and its relationship with the host property is maintained. In this regard, there may well be no conflict with the policy, however, this does not weigh heavily in support of the proposal, when considering the development plan as a whole.

Conclusion

13. My above findings bring the development into conflict with the development plan, read as a whole. There are no material considerations that have been shown to have sufficient weight to warrant a decision otherwise than in accordance with it. Therefore, the appeal is dismissed.

F Harrison

INSPECTOR