



Appeal Decision

Site visit made on 23 November 2023

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 December 2023

Appeal Ref: APP/N5660/D/23/3327250
70 Madeira Road, London SW16 2DE

- 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 A Uddin against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 23/00058/FUL, dated 8 January 2023, was refused by notice dated 11 May 2023.
 - The development proposed is the installation of wrought iron railings over stock brickwork walls with wrought iron gates.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The development has been completed; this does not alter the way I consider the merits of the proposal.

Main Issues

3. The main issues are the effect of the proposal on i) the character and appearance of the locality and ii) pedestrian safety.

Reasons

Character and appearance

4. The appeal property is a semi-detached two-storey dwelling with an upper front dormer and an attractive period front elevation and detailing. It is in a stretch of similar homes along the road. Some homes have no front enclosure but most do and these vary in treatment and materials but almost without exception are of low-level form. The locality is one of established residential character and the streetscene has a pleasing visual quality.
 5. The appeal proposal is as described above. The stock brickwork wall has a maximum height of 1.17m, and when combined with the railings to the front and side boundaries of the property measure a maximum height of 1.6m. The wrought iron gates to the front boundary have a maximum height of 2m.
 6. The heights noted above are in marked contrast to virtually all other front boundaries found on this long stretch of road. Even though one can still appreciate the front elevation of the host property behind by seeing through the wrought iron the structures appear excessive relative to the scale of the front garden and alien in a scene where low frontage boundaries absolutely
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predominate. In the circumstances to my mind the appeal proposal is jarring on the eye and harmful to the locality in character and appearance terms.

7. Policies Q5 and Q15 of the Lambeth Local Plan (2021) 2020 – 2035 (LP) are relevant. These policies, taken together and amongst other matters, seek to protect local distinctiveness and retain or enable characteristic boundary treatments and set out clear parameters for this to be achieved. I note that there is a degree of flexibility for the parameters. However, it is understandably made clear that the raising in height of existing boundaries will only be supported where it is undertaken in a well-designed and carefully detailed manner which is consistent with local character and not discordant; given my description of the locality these are not circumstances which I would deem to apply at the appeal site. I conclude that the appeal scheme is simply of too great a height and that there would thus be conflict with LP Policies Q5 and Q15 in aesthetic terms.

Pedestrian safety

8. The Council is concerned that the structure adjacent to the crossover is overly tall and it feels that there is nothing in the scheme to show that this would not harm pedestrian sightlines and visibility. There is clearly no set-back and heights and the form of structures are clearly evident. In all the circumstances, on the pedestrian safety front I am satisfied. I say this because in this situation, along this relatively quiet road, on a reasonable width footway, with pedestrians well aware of the scope for vehicles entering and exiting front gardens, and with visibility generally being readily available over or round the thin structures, I feel pedestrian safety risk would be minimal.
9. Therefore, in terms of pedestrian safety, whilst there would be notional exceedance of pertinent dimensions within LP Policy Q5 I conclude that there would be no conflict with this policy's key relevant objective of safeguarding pedestrians.

Other Matters

10. I understand the Appellant's wish to define and enclose the front garden at this property albeit I am not persuaded on the security argument, not least given how other properties in the street do not resort to such high-level railings and gates. I would agree that the previous open frontage was not a positive element in the streetscene. I note that there were no neighbour objections to the planning application. I can see that thought has been given to materials and to the use of semi-lightweight metal work.
11. I sympathise that expense has been incurred through the Appellant not realising that planning permission was required. However, I would have not allowed an appeal for this scheme if it had not been in situ and I have to be even-handed. I have carefully considered other examples of front boundaries which were drawn to my attention. I do not know the full circumstances of these, there seems little of direct comparison due to siting, form, or location, but in any event, I must assess the present case on its own merits.
12. I have carefully considered all the points raised by the Appellant but taken individually or together these matters do not outweigh the concerns which I have in relation to one of the main issues identified above.

13. The National Planning Policy Framework has been considered and the development plan policies which I cite mirror relevant objectives within that document.

Overall conclusion

14. For the reasons given above I conclude that whilst the appeal proposal would not unduly harm pedestrian safety it would have unacceptable adverse effects on the character and appearance of the locality. Accordingly, the appeal is dismissed.

D Cramond

INSPECTOR