
Appeal Decision

Site visit made on 29 February 2024

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20.03.2024

Appeal Ref: APP/N5660/D/23/3331970

70 Madeira Road, Streatham, 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. 23/02548/FUL, dated 6 June 2023, was refused by notice dated 29 September 2023.
 - The proposal is for 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. At my site visit, I saw that the development has been completed and I note that the application has been submitted retrospectively.

Main Issues

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

Reasons

Character and appearance

4. 70 Madeira Road is a two-storey, semi-detached house with off street parking to the front. The surrounding neighbourhood is residential in nature. Where present, front boundary treatments are varied but generally simple in form, appearance and design.
 5. By contrast, the development provides for a strong defining boundary along the prominent roadside edge of Madeira Road. In particular, taken together the pedestrian and vehicular gates are extensive and have elaborate, undulating upper rails. The topmost points of the sweeps serve to emphasise the height of the elements. Although it is possible to see the driveway and host dwelling through the gaps in the railings, the gates create a clear and emphatic delineation that is at odds within the overall context.
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6. Whilst I find the gates to be unacceptable, I am satisfied that the combined wall and railing components, being lower, of horizontal form and relatively modest in their width fronting the highway, would assimilate with the vicinity and the proposed portholes would further serve to punctuate the brick sections.
7. I acknowledge that there are tall close boarded fences in the vicinity, however these are to properties at junctions in the neighbourhood and broadly serve to enclose side garden areas rather than frontages; they are the exception within the street scene rather than the rule. In any event, other boundary treatments would be neutral considerations in any balance against planning harm, and I am mindful that each case must be assessed on its own merits.
8. I sympathise with the appellant's personal circumstances and note that the scheme would improve security and privacy. Moreover, no objections have been made by local residents to the scheme, the site is not within a conservation area and neither the appeal property nor the neighbouring buildings are listed. However, these matters do not outweigh the harm that I have identified above.
9. I consider that the proposal results in harm to the character and appearance of the surrounding area. It is contrary to Policies Q5 and Q15 of the Lambeth Local Plan 2015 (LP), which seek to ensure that new development is of acceptable scale and appearance, and that boundaries are consistent with local character and not discordant.

Highway safety

10. I saw at my site visit that local roads are quiet and well maintained. Manoeuvres across the public footways into and out of residential accesses are a common feature, although these are approached with caution.
11. The Council states that appropriate pedestrian visibility splays and sight lines would not be achieved at the site's entrance. I acknowledge that a vehicle emerging from the driveway, with the driver having restricted views of footpath users, is an obvious safety hazard.
12. However, that prospect would be little different to the current accesses to myriad properties in the surrounds. Given the infrequency and short duration of such manoeuvres, the low speeds involved, the relatively wide footway and the installation of the portholes and mirrors, I consider that the safety of pedestrians would not be unduly compromised in this particular instance. Furthermore, there is no evidence that any incidents involving vehicles and pedestrians have been recently reported in the locale.
13. I therefore conclude that the scheme does not cause an adverse effect on highway safety and generally accords with Policy Q15 of the LP,

Conclusion

14. Having regard to the above and all other matters, the appeal is dismissed.

C Hall

INSPECTOR