



Appeal Decision

Site visit made on 3 December 2024

by J Davis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 December 2024

Appeal Ref: APP/H5960/D/24/3354315
107 Carslake Road, London, SW15 3DD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Medet Kaya against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref is 2024/0515.
 - The development proposed is described as 'front gate'.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The development has been completed and the appeal is therefore in relation to obtaining retrospective permission for the works.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the existing dwelling and surrounding area.

Reasons

4. The appeal concerns a two storey, semi-detached dwelling that is located in an area that is mixed in character and appearance, comprising houses, flatted developments and community uses.
5. The gates that have been erected are of a sliding design and enclose the frontage of the dwelling. The gates have a height of about 1.19m, whilst the associated posts reach around 1.3m in height.
6. The Council's Housing Supplementary Planning Document (2016) (SPD) provides guidance on a number of matters, including front gardens. It advises that generally speaking, traditional front garden boundaries are around 1.2m to 1.4m high overall. It also advises that boundaries should always be in keeping with the architectural character of the house and advises occupants to keep and repair original boundary treatments.
7. The gates are prominently located, directly adjacent to the pavement that runs along the western side of Carslake Road. The gates and posts are painted black metal, with relatively wide bars running along the top and bottom of the gates.

The posts in the centre of the sliding mechanism are also particularly bulky in appearance.

8. The height of the enclosure does not exceed the guidance set out in the SPD but nonetheless, the gates exceed the height of most front boundary enclosures in the area. Moreover, as a result of the combination of the height and scale of the gates and posts and particularly their functional, utilitarian design and appearance, the development is particularly prominent and visually imposing and is distinctly at odds with the domestic character of the existing dwelling and the surrounding area. Furthermore, the means of enclosure contrasts sharply with the low walls to the front of the adjacent dwelling, 105 Carslake Road, resulting in an unbalanced appearance. Therefore, I find that the works that have taken place significantly detract from the domestic character and appearance of the existing dwelling and its semi-detached pair.
9. As the gates span the full width of the frontage, there is no scope for planting which might otherwise help soften the appearance of the development. Whilst planting has been retained along the side boundaries of the frontage, this is not particularly effective in mitigating the visual effects of the works.
10. I acknowledge the presence of railings in the local area, including those around the electricity sub station adjacent to No 105. Whilst these railings are unsightly, they are not comparable to the appeal scheme as they are not associated with a residential dwelling and are necessary to prevent entry into the premises for important safety reasons. The adjacent open space is also enclosed by railings but again these have a different function and in any event are lower in height and less visually prominent than the appeal scheme.
11. I have also noted the variety of enclosures in the local area, including those highlighted by the appellant opposite the site at 84 Carslake Road; the railings and walls at 177 Carslake Road and the high walls and railings that enclose the large flatted development at the junction of Carslake Road and Westleigh Avenue. However, none of these isolated examples are directly comparable with design and appearance of the appeal scheme which I am required to determine on its own merits.
12. I acknowledge the benefits of the development in relation to safety and security and the advice contained within the National Planning Policy Framework 2023 in relation to crime and the fear of crime. Furthermore, Policy LP1 of the Wandsworth Local Plan (2023) (LP) requires development to reflect and demonstrate several principles, including to minimise opportunities for crime and anti-social behaviour. The development meets this objective.
13. However, Policy LP1 also requires proposals to ensure that the scale, massing and appearance of development provides a high quality, sustainable design and layout that enhance and relate positively to prevailing local character. The development conflicts with this objective. Whilst I have given careful consideration to the issue of crime and safety, these matters do not outweigh the harm that I have identified above. Moreover, the same objectives would likely to be achieved through an alternative means of enclosure which is more appropriate to a residential area in terms of its appearance and design.
14. In conclusion, I find that the development has had a harmful effect on the character and appearance of the existing house and surrounding area. It

therefore fails to accord with the high-quality design objectives of Policies LP1, LP2 and LP5 of the LP and the SPD.

Conclusion

15. The works that have taken place are contrary to the development plan as a whole and there are no other material considerations of sufficient weight to indicate a decision should be made other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

J Davis

INSPECTOR