
Appeal Decision

Site visit made on 27 November 2024

by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 January 2025

Appeal Ref: APP/N5660/D/24/3345921

259 Railton Road, Lambeth, London SE24 0LY

- 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 Stephen McLaren against the decision of the London Borough of Lambeth Council.
 - The application Ref is 23/04042/FUL.
 - The development is a replacement of the boundary wall treatment, including a new timber gate and planting.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. As the description of development varies between the documents submitted, I have used the description from the Council's decision notice, as this is a concise and accurate description.
3. This appeal relates to a development that has been implemented, therefore, the application is retrospective, and I have determined the appeal accordingly.
4. Subsequent to the decision made by the Council on the planning application to which this appeal relates, the National Planning Policy Framework was revised. I have therefore made my decision with regard to the National Planning Policy Framework (December 2024).

Main Issue

5. The main issue is the effect on the character and appearance of the appeal property and the terrace of which it forms part.

Reasons

6. The appeal property is a two storey mid-terrace house, that has recently undergone some alteration and extension, including photovoltaic panels to the front roof slope. This forms part of a post war infill in a terrace of earlier two and three storey houses. The houses in the terrace have small front gardens with a mixture of predominantly short walls and timber fences to their boundary with the footway, which provides a unifying feature along the terrace as a whole, despite the varying age and heights of properties that make up the terrace.

7. The development is an approximately 1.6 metre tall front boundary treatment that involves a brick wall with inset panels and narrow planters to its base and includes a close set timber gate the same height as the wall. This matches the height of the gate to the adjoining property at 261 Railton Road, that otherwise has a short boundary wall with a tall hedge that terminates slightly above the level of the gate.
8. Policy Q15 of the Lambeth Local Plan (2021) (the Local Plan) seeks to retain boundary treatments that are characteristic of the immediate locality and states that front boundaries should not exceed 1.2 metres unless specifically justified by the character of the locality or specialist function of the development. In this instance the appeal property is residential rather than specialist in nature, and as I have identified, the front boundary treatments of the properties in the terrace are predominantly short walls or timber fences, with most appearing to be below 1 metre in height. As such the height of the appeal boundary treatment, rather than the terracotta brick of which it is formed, does not reflect the established character of the terrace of which it forms part.
9. The solidity and height of the appeal boundary treatment results in it dominating the small scale of the appeal property and its particularly small front garden. Although there is some planting to the base and top of the boundary treatment, this is small in scale and does not substantially soften its dominating appearance or provide for any significant biodiversity.
10. This is in contrast to the taller hedge at No.261, which has a soft and verdant appearance, rather than a solid dominating effect when viewed in the context of the terrace. This results in the boundary treatment appearing incongruous in relation to the appearance and scale of the of the appeal property and the terrace of which it forms part.
11. The appellant has drawn my attention to other tall boundary treatments in the Council area. These vary considerably in age, context, materials and design from the development that is the subject of this appeal, and I have not been provided with any planning background to these examples. However, where planning permissions would have been required, these would have been considered on their own individual merits. In my consideration of the development that is the subject of this appeal, I have done likewise, which is a main tenet of the planning system. I have therefore afforded these examples of taller boundary treatments only limited weight in my considerations.
12. The appellant has set out their appeal concerns with regard to communication with the Council pre-application and during the planning application process. There are, however, other procedures in place that relate to such matters, and these are not for me to consider as part of this appeal.
13. For the reasons given above, I find that the development that is the subject of this appeal results in substantial harm to the character and appearance of the appeal property and the terrace of which it forms part. This does not accord with Policies Q5, Q11 and Q15 the Local Plan. These collectively seek development that is of high design quality, sustains local distinctiveness and has front boundary treatments that should not exceed 1.2 metres in height unless specifically justified by the character of the locality or specialist function of the development.

Conclusion

14. For the reasons given, the appeal is dismissed.

Victor Callister

INSPECTOR