
Appeal Decision

Site visit made on 11 March 2025 by Elizabeth Davies BSc (Hons) MIEMA, CEnv

Decision by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 June 2025

Appeal Ref: APP/P5870/D/25/3359280

2 Woodmansterne Road, Carshalton, Sutton SM5 4JH

- 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 Srinath Mani against the decision of the Council of the London Borough of Sutton.
 - The application Ref is DM2024/00016.
 - The development is retention of automated sliding gate, fencing and side gate.
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Decision

1. The appeal is allowed and planning permission is granted for the retention of automated sliding gate, fencing and side gate at 2 Woodmansterne Road, Sutton, Carshalton SM5 4JH in accordance with the terms of the application, Ref DM2024/00016 and the plans submitted with it.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. It is noted that the description of the development was amended by agreement of both parties during the planning application process. The amended description has been used in this decision notice.
4. The automated sliding gate, fencing and side gate are already in place and the appeal has been considered on this retrospective basis.

Main Issue

5. The main issue in the appeal is the effect of the development on the character and appearance of the street scene.

Reasons for the Recommendation

6. The appeal site is located on a corner plot at the junction of Woodmansterne Road and Kings Avenue. The site is on an inclined plot so the detached house and garden sit above the height of the footway, road and surrounding houses on Woodmansterne Road. The area is characterised by detached and semi-detached houses, set back from the road with front gardens and driveways.

7. The appeal plot is relatively large and the fence, which has been constructed above and behind a retaining wall, bounds the properties front and side garden. The electronic gate opens onto Woodmansterne Road and sits at a lower level than the fence due to the slope of the driveway.
8. There are a variety of boundary treatments in the vicinity of the site, including tall shrubs and trees, intermittent supplementary hedging, boundary walls and other timber fencing enclosing front and side gardens. Due to the height difference of the appeal property and the surrounding footway, it is in a prominent position and the fence appears high when viewed from outside the property. From within the property, the height of the fence is modest due to the raised level of the garden.
9. In the evidence before me, both parties refer to the high wall and fence bounding the neighbouring property, 229 Stanley Park Road (No.229) and I have had regard to this neighbouring property in this decision insofar as its boundary treatment shapes the character of the immediate area. The boundary wall and fence at No. 229 along Woodmansterne Road is considerably higher than the fence at the appeal property. I agree with the Council that the relationship of No. 229 with Woodmansterne Road is different, but not significantly so, given both properties occupy corner plots on high ground, with gardens fronting the road. However, I do acknowledge that the large tree on the footway adjacent to No. 229 provides some screening and breaks up the view of the fencing at No. 229 to some extent.
10. The fence at the appeal property is markedly lower than the fence at No.229. Whilst some openness of the street scene has been lost due to the erection of the fence and gate at the appeal property, I do not consider this loss to be significant. The fence and gates do not appear unduly incongruous where a range of different boundary treatments exist and when viewed in relation to the fence at No. 229. Due to the appeal properties position on a corner plot, the boundary screening provided by the timber fencing is an appropriate approach to achieving secure and private amenity space for the occupiers, whilst also not unduly harming the appearance of the street
11. With regard to the materials used, I am satisfied that the timber fence and gates are appropriate and not out of keeping. The present colour of the timber highlights its fairly recent installation, but this is likely to weather in a similar way to other timber fences in the area and partially soften the appearance of the fence and its prominence. Over time, the planting in the garden and between the fence and atop the boundary wall will also mature and provides the opportunity to soften the appearance of the fence.
12. On this basis, the development accords with Policy 28 of the Sutton Local Plan 2016-2031 (February 2018) which seeks, amongst other things, to ensure development is attractive and makes a positive contribution to street frontage. It also accords with Supplementary Planning Document Design of Residential Extensions (SPD 4) which states that boundary walls and fences should seek to match common details of these features in the area.

Conditions

13. As the development has been undertaken, it is not necessary to impose conditions requiring it to commence within 3 years, that it is carried out in accordance with approved plans, or that matching materials should be used.

Conclusion and Recommendation

14. For the reasons given above, the development complies with the development plan when taken as a whole and there are no material considerations, including the National Planning Policy Framework, that outweigh this finding. Consequently, I recommend that the appeal should be allowed.

Elizabeth Davies

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed.

A M Nilsson

INSPECTOR