



Appeal Decision

Site visit made on 18 December 2024

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

an Inspector appointed by the Secretary of State

Decision date: 3 February 2025

Appeal Ref: APP/X5210/D/24/3351172

17 Glenbrook Road, Camden, London NW6 1TN

- 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 Ms Ena Poon against the decision of the London Borough of Camden Council.
 - The application Ref is 2024/2270/P.
 - The development is a fence and gates on boundary in front of garage.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. This appeal relates to development that has have already been carried out. The application is therefore retrospective, and I have considered the submission accordingly.
3. Subsequent to the decision made by the Council on the application to which this appeal relates, the Government published a revised National Planning Policy Framework (December 2024) (the Framework). I consider that there have been no major changes relevant to the main issues in this appeal. It will therefore not prejudice any party by making my decision with regard to the revised Framework.

Main Issues

4. The main issues are the effect on:
 - The character and appearance of the appeal dwelling and that of the local area; and
 - Public safety as it relates to road users.

Reasons

Character and Appearance

5. The appeal dwelling is a post war two storey palisaded end of terrace house. It sits in an area that is predominantly made up of two storey Victorian terraced houses. To the rear of the garden of the appeal dwelling are a pair of garages with hard standing to the front that are accessed from Narcissus Road. The nearest of the pair of garages relates to the appeal dwelling.

6. The appeal development is an approximately 2.05 metre tall fence with concrete base, with slightly shorter gates. This sits on the side of the rear garden and in front of the hard standing in front of the garage of the appeal dwelling. The two gates are in front of the garage to allow access, with the fence returning to connect with the junction between the two garages. This replaces an approximately 2.05 metre tall fence that previously sat on the boundary between the rear garden and the footway. However, instead of returning to fence the boundary of the rear garden with the hard standing, it extends further to encompass that part of the hard standing that is in front of the garage of the appeal dwelling.
7. The front boundaries of houses in both Glenbrook Road and Narcissus Road are defined by short walls, some with railings on top, and some with hedging. However, to the side boundary of the rear gardens of end of terrace houses in the local area, there are a variety of timber fences approximately 1.8 metres tall and tall walls. These are of similar height and extent as the appeal development, some with wooden gates.
8. This provides for a significant variety of boundary treatments, in terms of both height and materials within the local area. Within this context, the appeal development, as well as replicating the fence previously on the rear garden boundary of the appeal dwelling, appears to reflect the variety of boundary treatments to be found locally.
9. For this reason, I do not find that it constitutes an incongruous development, but rather I find that it reflects the age and design of the appeal dwelling and the streetscape of the local area. Consequently, the appeal development does not result in any significant harm to the character and appearance of the appeal dwelling or that of the local area. As such it complies with Policy D1 of the London Borough of Camden Local Plan (2017) and Policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan (2015). These collectively seek development of high quality design that respects context and character and positively interfaces with the streetscape. Within the context of this appeal, lack of harm is a neutral factor in my considerations.

Public Safety

10. Due to the height of the appeal development and its proximity to the neighbouring garage and hard standing, it substantially restricts visibility from vehicles exiting the garages and hard standing. The constraining effect of the fence also substantially limits the manoeuvrability of vehicles entering and exiting the hard standing and garages. This significantly restricted visibility and manoeuvrability results in a substantial risk of collision with vehicles accessing the garages for users of the footway in front of the garages, as well as users of the carriageway.
11. Whilst I note that there are vehicle gates on other properties between the boundary of parking areas and the footway in the local area, these are substantially wider than the appeal development. As such they allow for better levels of visibility and manoeuvrability for vehicles accessing these parking areas, resulting in significantly less risk to users of the adjacent footway and carriageway than the appeal development.
12. Consequently, I find that the restricted visibility and manoeuvrability for vehicles accessing and exiting the garages and hard standing that results from the appeal

development represents an unacceptable risk to highway safety. With the risk to pedestrians, cyclists and other vulnerable road users being particularly acute.

13. For the reasons given above, the appeal development results in significant harm to public safety as it relates to road users. As such, it conflicts with Policies A1, T1, T2 and T3 of the London Borough of Camden Local Plan (2017), Policy 9 of the Fortune Green and West Hampstead Neighbourhood Plan (2015). Collectively these seek to ensure that development does not adversely impact road safety or the movement of other road users, including through safe pavements.

Conclusion

14. The appeal is dismissed.

Victor Callister

INSPECTOR