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## Appeal Decision

Site visit made on 15 September 2020

**by Ian Harrison BA Hons DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 08 October 2020**

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**Appeal Ref: APP/L5240/W/20/3252676**

**Potters Close, Shirley, Croydon CR0 7LS**

- 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 Potters Close Residents Association against the decision of the Council of the London Borough of Croydon.
  - The application Ref 19/04138/FUL, dated 27 August 2019, was refused by notice dated 26 November 2019.
  - The development proposed was initially described as the installation of automatic gates to access road.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. The description of development in the heading above has been taken from the planning application form. At Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered which reflects that used by the Council. The main parties have not provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

### Main Issue

3. The main issue is the effect of the development on the character and appearance of the area including the effect on social cohesion.

### Reasons

4. Orchard Avenue is a residential street that features large detached dwellings that are positioned on substantial plots. The built form of the area is generally set back from the road with gardens and parking areas to the front of the buildings, many of which are enclosed by walls, railings, gates and vegetation. Potters Close is a private road that leads between the dwellings of Orchard Avenue and serves six detached dwellings that are set to the rear and are arranged around a turning head. The arrangement of dwellings, the size of the plots they sit on and the presence of substantial vegetation creates a pleasant suburban environment.
5. The proposal would involve the installation of a set of motorised gates within Potters Close that would be positioned between the dwellings of Orchard Avenue and set back slightly from their front elevation. The proposed gates would create a barrier within Potters Close that would, by their nature, be dominating of the approach to the dwellings of that road and segregate those dwellings and their access route from the public domain of the surrounding area.

6. As the proposed gates would be positioned discreetly between the adjacent dwellings, they would only be prominent in views from directly in front of the access to Potters Close. However, from where they would be seen they would have a substantial visual effect and divide the street in a manner that would be detrimental to the character of the area. The gates being of a high quality design that avoids them appearing bulky and enables views through them to be retained does not alter my assessment of the effect of the development in this respect.
7. Gates are a common feature of properties within the surrounding area, are prominent in the street and also restrict access to private property. However, as most are at the boundary of single dwellings, they have a wholly different relationship with the public realm and do not have the same visual effect in terms of segregating one part of the community from another.
8. Although the appellant has indicated that the proposal would bring about improved security, privacy and quality of life for some residents, reduce anti-social behaviour and prevent unauthorised access onto a private road, these benefits to the residents of Potters Close would not compensate or mitigate the harm to social cohesion caused by the division that would result from the proposal. Whilst the appellant differentiates between a 'real' and 'perceived' effect on social cohesion due to Potters Close being a private road, the separation of the street from its surroundings would cause a harmful segregation of the community that would not accord with The Council's Suburban Design Guide 2019 (The SDG) which states that gated developments will not be acceptable. In this regard, whilst Policy DM10 of the Croydon Local Plan 2018 (The CLP) requires proposals to create clearly defined public and private space, I have no basis to conclude that the proposal represents the only or best method of achieving this.
9. Other similar gates within the wider area have been brought to my attention but I have insufficient details of the planning history of those gates to be able to afford them significant weight and both main parties agree that the policies of the development plan have changed since they were installed. Even if I were to afford them weight, they would have little effect on my assessment due to the appeal site not being viewed in the same context as those developments.
10. For these reasons, the development would have an unacceptable effect on the character and appearance of the area and on social cohesion. Consequently, the proposal would be contrary to Policies SP4 and DM10 of The CLP which state that development should improve and contribute positively to the public realm, enhance social cohesion and well-being and provide spaces which are visually attractive and easily accessible. The proposal would also be contrary to Policies 3.9, 7.4 and 7.6 of the London Plan (2016) which, together, require that developments make a positive contribution to the character of a place, create public spaces that are secure, accessible and inclusive, redress social exclusion and strengthen communities sense of identity with their neighbourhoods. The proposal would also be contrary to the abovementioned section of The SDG.
11. As it has been indicated that emergency access would be unaffected, this is not a matter that I find to be determinative in my assessment of the proposal.

## **Conclusion**

12. For the reasons given above, I conclude that the appeal should be dismissed.

*Ian Harrison*

INSPECTOR