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## Appeal Decision

Site visit made on 2 November 2021 by Thomas Courtney BA(Hons) MA

**Decision by Martin Seaton BSc (Hons) DipTP MRTPI**

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

**Decision date: 25 January 2022**

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**Appeal Ref: APP/L5240/D/21/3271923**

**79A Croham Road, South Croydon, CR2 7HJ**

- 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 Mr Vijey against the decision of the Council of the London Borough of Croydon.
  - The application Ref 21/00036/HSE, dated 5 January 2021, was refused by notice dated 25 February 2021.
  - The development proposed is the erection of a boundary fence/wall.
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### Decision

1. The appeal is dismissed.

### Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

### Procedural Matters

3. In the interest of accuracy, the description of development used in the header above is based on that used on the Council's decision notice.
4. I have identified the appellant in the header above as Mr Vijey, as this is how it appears on the application form. I am minded however to highlight that the appeal form identifies the appellant as Mr Vijey Kumar.
5. On my site visit, I observed that the fence and rendered wall erected up to the highway at the side of the appeal property along Bench Field differed from what has been proposed. Whilst the appeal has been considered on a part-retrospective basis, it is the scheme which was submitted as the planning application and appeal which I have considered.

### Main Issue

6. The main issue is the effect of the development on the character and appearance of the area.

### Reasons for the Recommendation

7. The appeal site accommodates a strip of garden land associated with No.79A Croham Road, a detached property situated at the corner of the junction of Croham Road and Bench Field. The side garden has recently been enclosed by
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- a rendered wall and fence. The ground rises sharply from Croham Road along Bench Field, which is a cul-de-sac characterised by low boundary walls and open front gardens.
8. Given its height, width and substantial length along the side of the garden, the proposed fence would appear incongruous and dominant in the context of the other open and landscaped front boundary treatments, and would fundamentally and adversely alter the sylvan and open character and appearance of Bench Field and Croham Road. Having had regard to the photographs of the site prior to the construction of the current fence, it is considered that the widening of the fence and the enclosure of the thin buffer of land next to the pavement, as well as the removal of the mature trees in this location, has visually eroded the streetscene.
  9. Although the proposed new fence is indicated to be constructed with sympathetic materials that would match those of original fencing, and would be designed to progressively step down in line with land levels, its height would still be excessive and prominent in this corner location. It would be at odds with the open boundary treatments on Bench Field as well as Croham Road.
  10. I sympathise with the appellant in his desire for more privacy and security as a result of a burglary in 2016, but I am not persuaded that this should come at the expense of the character and appearance of the area or on the basis of the absence of any consideration of alternatives that this would be the only option. I have also had regard to the appellant's comments regarding littering and the difficulty in maintaining the former strip of land, however, these concerns do not outweigh the permanent damage the proposal would have on the character and appearance of the streetscene.
  11. The development would have an adverse visual impact on the street scene. Given this, I therefore find the proposal would harm the established character and appearance of the surrounding area. I therefore consider that the proposed development would conflict with Policies SP4 and DM10 of the Croydon Local Plan which together seek to ensure proposals are well-designed and respond to development pattern, layout, siting and local character. I have also had regard to the 'Suburban Design Guide' Supplementary Planning Document (SPD) which also seeks to ensure proposals respect local character.
  12. Although quoted in the decision notice, Policies 7.4 and 7.6 of the London Plan (2011) are now superseded since the adoption of the new London Plan in March 2021. Neither party has referred me to any revised London Plan policies in their appeal submissions, and I have therefore determined the appeal on the basis of the Local Plan alone.

### **Recommendation**

13. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

*Thomas Courtney*

APPEAL PLANNING OFFICER

**Inspector's Decision**

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

*Martin Seaton*

INSPECTOR