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## Appeal Decision

Site visit made on 5 January 2023

**by Philip Willmer BSc Dip Arch RIBA**

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

**Decision date: 2 February 2023**

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**Appeal Ref: APP/L5240/D/22/3312115**

**105 Foxley Lane, Purley, CR8 3HQ.**

- 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 Jake Nazha against the decision of the Council of the London Borough of Croydon.
  - The application Ref 22/03858/HSE, dated 16 September 2022, was refused by notice dated 14 November 2022.
  - The development proposed is described as demolition of existing boundary walls to the front garden. New boundary walls to form shed with new metal gates and planter.
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### Decision

1. The appeal is allowed and planning permission is granted for demolition of existing boundary walls to the front garden. New boundary walls to form shed with new metal gates and planter at 105 Foxley Lane, Purley, CR8 3HQ in accordance with the terms of the application, Ref 22/03858/HSE, dated 16 September 2022, and the plans submitted with it, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
  - 3) The development hereby permitted shall be carried out in accordance with the following approved plans, drawings: FOX-30001 P2, 31000 P7 and 30000 P1.

### Main Issue

2. I consider the main issue to be the effect of the proposed outbuilding on the street scene and thereby the character and appearance of the area.

### Reasons

3. The appeal property, 105 Foxley Lane, is a semi-detached house, located in a residential area comprising detached and semi-detached dwellings along with three storey flatted developments. The appeal site has previously been subdivided to facilitate new residential development to the rear.

4. The appellant proposes the demolition of the existing boundary walls to the front and side of the front garden and the erection of new 0.6 metre high boundary walls. The front wall would be in the form of a planter for a hedge with the side wall having metal railings on top. A 2.5 metre high flat roof brick cycle shed is proposed behind the front wall/planter and hedge. 2.15 meter metal gates are planned to the new drive, located deep into the site.
5. The Council raise no objection to the proposed front and side walls, planters, gates and hedge. From what I have seen and read I would not form a contrary view.
6. The proposed shed which would be of a simple contemporary uncluttered design would be 4.5 metres deep and 3.5 metres wide and 2.5 metres high. It would be well screened from public view by the soft landscaping approved for the neighbouring development and the new hedges proposed here.
7. I appreciate that there are no other front garden buildings in the gardens of neighbouring properties close to the appeal site. Nevertheless, such outbuildings and garages are typical features of residential development. On balance and as the building would be part of a comprehensive development scheme and would be well screened, I do not consider that this modest structure would cause harm to the street scene or wider area.
8. I therefore conclude in respect of the main issue that the proposed development would, in my judgement, overall make a positive contribution to the street scene and surrounding area. It would therefore accord with the objectives of Policy D3 of the London Plan (Adopted March 2021) and Policies SP4 and DM10 of the Croydon Local Plan 2018 (Adopted 27 February 2018) as they relate, amongst other things to the quality of development and the need to create well defined and designed private spaces.

### **Conditions**

9. The conditions follow from those suggested by the Council. To ensure a high quality development, I shall include a condition about the materials to be used in the construction of the external surfaces of the building.
10. In the interests of certainty, I shall impose a condition requiring the development to be undertaken in accordance with the approved plans.

### **Conclusions**

11. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

*Philip Willmer*

INSPECTOR