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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: 02 February 2023**

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**Appeal Ref: APP/L5240/D/22/3312101**  
**35 Woodcrest Road, Purley, CR8 4JD.**

- 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 Graeme Clarke against the decision of the Council of the London Borough of Croydon.
  - The application Ref 22/01815/HSE, dated 1 May 2022, was refused by notice dated 21 September 2022.
  - The development proposed is for the installation of front gates to vehicle forecourt.
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### Decision

1. The appeal is dismissed.

### Procedural matters

2. I have adopted the description of development used by the Council in framing its decision notice in the bullet point above, as this more succinctly describes the proposed development than that set out on the original application form.

### Main Issues

3. I consider the main issues to be:
  - a) the effect of the proposal on the characters and appearance of the area, and;
  - b) the effect of the development on highway and pedestrian safety.

### Reasons

4. The appeal property, 35 Woodcrest Road, is a detached dwelling located in a residential road, with dwellings on either side. Like most of the properties in the road number 35 enjoys off street parking. The boundary to the road of this and neighbouring dwellings is characterised by low boundary walls with soft landscaping. From my observations on site only one dwelling in the vicinity of number 35 has gates to its access drive.
5. The appellant proposes the installation of a pair of ornamental gates just behind the back edge of pavement. The gates which would have an arched top would, I understand from evidence extend to a height of 2.0 metres at the centre of the arch. From the application drawings I see that the gates would be hung of two new 1.7 metre-high posts set behind the existing brick piers and located so as to slightly narrow the existing driveway at this point.

6. The new pillars and gates would therefore be higher than the existing low garden wall to this property.

*Character and appearance*

7. I appreciate that the gates are to be fabricated by local craftsmen using quality materials and finishes. However, in my judgement due to their elaborate design, their scale in relation to the adjacent boundary walls, and more particularly the introduction of secondary pillars, higher than the existing masonry piers the new gates as designed would appear out of scale and incongruous in the context of their setting.
8. I therefore conclude in respect of the first main issue that the proposed gates would cause significant harm to the character and appearance of the local area. The development would therefore not accord with the objectives of Policy D3 of the London Plan (Adopted March 2021) (London Plan) and Policies SP4.1, DM10.1 and DM10.7 of the Croydon Local Plan 2018 (Adopted 27 February 2018) (LP) as they relate to, amongst other things, the quality of design and the need to respect and enhance the local character and contribute positively to the public realm.

*Highway and pedestrian safety*

9. The proposed gates would be located on the back edge of pavement and hung on new pillars. I am not persuaded that the introduction of gates would, in themselves obstruct to any significant degree pedestrian sightlines. Further, I consider the reduction in the width of the drive due to the new pillars and gates would be de minimus and therefore would not restrict to any significant extent the use of the drive.
10. However, due to the positioning of the gates close to the back of pavement there would be insufficient room, when closed, for a vehicle to enter the site without potentially obstructing both the free flow of traffic and the progress of any pedestrians using the footpath. Indeed, pedestrians may be forced to enter the road to navigate a vehicle accessing the drive when the gates are closed.
11. I therefore conclude in respect of the second main issue that the introduction of gates here as proposed would have a detrimental harmful impact on highway and pedestrian safety. The proposal would therefore not accord with the aims of Policy T6 of the London Plan and LP Policies SP8, DM29 and DM30 as they relate, along with other things to the need to avoid harm to highway and pedestrian safety.

**Other Matters**

12. The appellant has referred me other similar gates within the wider Purley Estate area. Whatever the background to those cases, given the harm that I have identified in this case there existence nearby is not an appropriate justification for allowing these here.
13. I appreciate that the gates may well enhance security of the property. However, there may well be other ways this could be improved without harm to highway safety and the character and appearance of the area.

14. I am sympathetic to the appellant's concerns relating to difficulties in trying to access further advice from the Council on his proposal, following determination of the planning application. This is however not relevant to my consideration of the planning merits of this appeal.

**Conclusions**

15. For the reasons given above and having regard to all other matters raised, including the lack of objection to the proposal from local residents, I conclude that the appeal should be dismissed.

*Philip Willmer*

INSPECTOR