



# Appeal Decision

Site visit made on 30 April 2024

by **L Francis BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24<sup>th</sup> May 2024

---

**Appeal Ref: APP/L5240/D/23/3334299**

**37 Bridle Road, Croydon CR0 8HN**

- 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 Dawid Wiszniewski against the decision of the Council of the London Borough of Croydon.
  - The application Ref is 23/03634/FUL.
  - The development proposed is front garden wall and gate.
- 

## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. The appellant has offered to replace the proposed close boarded fencing with railings. As it is not the role of the appeals process to evolve a scheme<sup>1</sup>, I proceed to determine the appeal on the basis of the proposed plans upon which the Council made its decision. In any event, I have no details of that proposed change before me.
3. I noted on my site visit that the work was in the process of being carried out, with the rendered walls and pillars having been erected; I have dealt with the appeal on a part retrospective basis.

## Main Issues

4. The main issues are the effect of the appeal proposal on:
  - the character and appearance of the area; and,
  - highway safety.

## Reasons

### *Character and appearance*

5. The area is characterised by predominantly two storey suburban housing, set in large plots with front and rear gardens. Where front gardens have fences or walls as boundaries, they are typically at a low level. Higher boundaries tend to be in the form of planting or hedges. The low-level boundary treatments contribute to the open, spacious character of the area.
6. The appeal proposal is for a white rendered boundary wall surrounding the front garden/parking area topped with timber slats finished in grey, set

---

<sup>1</sup> Procedural guide: Planning appeals – England, updated 11 January 2024

between rendered pillars. A sliding aluminium vehicular gate is also proposed. The overall height of the construction would be 1.8m.

7. The proposed 1.8m high boundary treatment would be at odds with the typical front boundary treatments in the immediate area which are generally lower or comprise planting. The solidity and height of the proposal would detract from the otherwise open, spacious character; as such it would fail to reflect or respect the character and appearance of the area.
8. The appellant indicates that their boundary design is based on examples found on Farm Drive, which runs west from Bridle Road. Farm Drive is characterised by single storey dwellings with very low front boundary treatments. The boundary treatment to the dwelling on the corner of Bridle Road and Farm Drive comprises a very low wall topped by railings running between brick pillars. It does not give the same impression of solidity that would be the result of the appeal proposal.
9. Whilst there are some examples of high close-boarded fences locally, they tend to have the function of enclosing rear gardens where they run adjacent to the street at a junction. Such examples are not so frequent that they could be considered a characteristic feature of the area.
10. For the reasons outlined above, the appeal proposal would harm the character and appearance of the area. This runs contrary to the aims of Policy D4 of the London Plan 2021 and Policies SP4 and DM10 of the Croydon Local Plan 2018. Taken together, and amongst other things, these policies seek to deliver good design; require development to be of a high quality, which respects and enhances Croydon's varied local character and contributes positively to the townscape and respects the appearance, existing materials and built features of the surrounding area.

#### *Highway safety*

11. The sliding gate would not encroach over the highway and I acknowledge the appellant's point that it would not be possible to set it back without compromising the space available for parking. Notwithstanding this, given the height of the pillars and fence either side of the gate, it is likely that they would obscure sightlines. As a consequence, highway safety would be compromised when vehicles are manoeuvring from the parking area onto the highway. No substantive evidence has been provided which would lead me to conclude that the height and footprint of the pillars would not cause an unacceptable obstruction to sightlines.
12. The gates specified would take 10-15 seconds to open, during which time a vehicle would have to wait on the highway to enter the parking area. To force a vehicle into waiting on the highway before turning into the dwelling's parking area would potentially cause unnecessary delays and obstruction to traffic. Whilst I appreciate that this is of a small scale in terms of the overall effect upon traffic, such incremental change can cumulatively add up to be significant.
13. I find that the proposal would therefore harm highway safety and it would run contrary to Policy T6 of the London Plan 2021 Policy DM29 of the Croydon Local Plan 2018. Taken together, these policies seek to ensure adequate provision is

made for efficient deliveries, servicing and emergency access, along with ensuring development must not have a detrimental impact on highway safety.

*Planning balance*

14. I acknowledge that the appeal proposal has the benefit of providing a new boundary fence and gate which improves the security and privacy of the host dwelling. However, the harm I have identified to the character and appearance of the area and to highway safety outweighs the identified benefits.

**Conclusion**

15. I have found that the appeal proposal would harm the character and appearance of the area and would harm highway safety. As such it is contrary to the development plan read as a whole. No material considerations have been shown to have sufficient weight to indicate that a decision should be taken otherwise than in accordance with it. The appeal should therefore be dismissed.

*L Francis*

INSPECTOR