

Appeal Decision

Site visit made on 14 November 2016

by Grahame Gould BA MPhil MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 25th November 2016

Appeal Ref: APP/B5480/D/16/3157534

15 Parkway, Romford, London RM2 5NT

- 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 Mrs Hazel Wilson against the decision of the Council of the London Borough of Havering.
 - The application Ref P0340.16, dated 6 March 2016, was refused by notice dated 7 June 2016.
 - The development proposed is temporary permission for two years to retain current fence.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. A timber fence of up to 3.1 metres height has been installed along the rear boundary of 15 Parkway (No 15) and the appealed application seeks to retain this fence at the height it has been installed at until the end of May 2018. Thereafter the fence's height would be reduced once some boundary planting has become established. I have therefore determined the appeal as being for a temporary development which has been implemented.
3. The description of the development used on the application form is quite discursive and I have therefore used the shorter form used by the Council, which describes the development more succinctly, in the banner heading above.

Main Issue

4. The main issue is whether the development has preserved or enhanced the character or appearance of the Gidea Park Conservation Area (the CA).

Reasons

5. No 15, along with other properties in Parkway, is within the CA and backs onto Raphael Park (the park), an extensive public space that is used for formal and informal recreational purposes. The CA is therefore mixed use in character.
 6. Within the park, immediately to the rear of No 15, there is a path which slopes downwards from east to west and the grassed area beyond that path is elevated above No 15's rear garden. To take account of the ground level
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differences the fence has been installed at heights ranging between 1.8 and 3.1 metres, respectively at its eastern and western ends.

7. I found the fence, because of its height, to have a stark and domineering appearance when viewed from the park's path, a thoroughfare that I observed is popular with dog walkers and runners. While a number of the nearby properties have timber rear boundary fences, most of those are lower, while the appearance of the taller ones is softened by the presence of trees and/or hedging. The fence at No 15, by comparison, has an alien appearance that is neither preserving nor enhancing the CA's appearance. While the fence is causing harm to the CA's appearance, its presence has no direct land use implications for the CA and as such the CA's character is being preserved.
8. While the appellant proposes to stain the fence a dark green colour, a matter that could be made the subject of a planning condition, I consider that that treatment would do little to soften the appearance of this fence when it is viewed from the path, albeit I accept that in longer distance views the staining would provide some mitigation.
9. I appreciate that the installation of the fence predates the appellant's occupation of No 15 and that the appellant wishes to maintain the fence, at the height it has been installed at, for privacy purposes, for a period of around two years while some boundary planting becomes established. However, a detailed landscaping scheme has not been submitted and I consider that there is uncertainty as to whether the planting would, by the end of May 2018, have reached the height that would provide the degree of privacy sought by the appellant. It is therefore possible that the fence that I have found to be neither preserving nor enhancing the CA's appearance would remain in-situ beyond the end of May 2018.
10. With respect to the matter of privacy I do not consider that there is a compelling need for a fence of this height to be provided, even on a temporary basis. I say this because the primary purpose for people visiting the park, especially those using the grassed area, will be either as participants or spectators in recreational activities. I therefore consider it unlikely that users of the park would purposefully seek to look into the neighbouring properties and cause a loss of privacy.
11. The park predates the appellant's occupation of No 15. Accordingly the proximity of the park and any overlooking arising from its use is something that I expect would have been fully assessed as part of the process of deciding whether or not to occupy No 15. I am therefore not persuaded that an adequate justification has been provided for the retention of this fence, even on a temporary basis.
12. As the development is neither preserving nor enhancing the CA's appearance there is conflict with Policies DC61 and DC68 of the Havering Core Strategy and Development Control Policies Development Plan Document of 2008.
13. I consider the harm to the CA is less than substantial when considered within the context of paragraphs 133 and 134 of the National Planning Policy Framework. Nevertheless I find that there are no public benefits that outweigh the harm to the CA's appearance that I have identified.

Conclusion

14. For the reasons given above the appeal is dismissed.

Grahame Gould

INSPECTOR