



Appeal Decision

Site visit made on 24 October 2017

by Darren Hendley BA(Hons) MA MRTPI

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

Decision date: 7th November 2017

Appeal Ref: APP/B5480/D/17/3180245

13 Priory Road, Romford RM3 9AT

- 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 P Brooks against the decision of the Council of the London Borough of Havering.
 - The application Ref P0737.17, dated 27 April 2017, was refused by notice dated 23 June 2017.
 - The development is a front garden wall.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the area and the effect on highways safety.

Reasons

Character and Appearance

3. The wall which has been erected along the front boundary of the site is constructed of brick and includes pillars, which are positioned at relatively regular intervals. The height of the wall increases from 1.16m to 1.4m, to reflect land levels on Priory Road, with the pillars of a height of 1.55m. The wall extends along the length of the front boundary, apart from where vehicular access is taken to a hardstanding parking area on the front of the site. A wall of similar construction extends down the side boundary of the site with a neighbouring property.
4. The front boundaries of properties on this part of Priory Road comprise largely of low walls, some of which have pillars which are also of a modest height, or vegetation, or present a more open frontage. They form a simple and unobtrusive means of front boundary enclosure, and contribute appreciably to the character of the area. In contrast, the wall is noticeably prominent due to its pronounced height, which is made more evident by the additional height of the pillars. The wall, therefore, sits uncomfortably in the streetscene compared to the more modest forms of front boundary enclosure on adjoining and nearby properties.
5. A front boundary wall could be constructed to a height of 1m under 'permitted development', and this represents a clear fallback position. However, the harm

arises from the extent of the height of the wall above 1m along the site frontage and which, in parts, is substantially greater than 1m. Although I note comments about the side boundary wall and 'permitted development', this in any case is substantially less prominent in the streetscene, so I give this only limited weight in my considerations concerning the front boundary wall.

6. The appellant has drawn my attention to a number of other front boundary walls, whilst not in the immediate vicinity of the site, are on Priory Road. I saw from my site visit, however, they vary considerably from the appeal site in terms of their form, as they comprise of railings, lower walls and pillars, and walls extending less of a relative distance across the site frontage, due to 'in' and 'out' arrangements or a wider access point. As such, they do not alter my conclusions.
7. I conclude the wall significantly harms the character and appearance of the area and, thus, it does not comply with Policy DC61 of the Council of the London Borough of Havering, Core Strategy and Development Control Policies Development Plan Document (2008) (DPD) which states that planning permission will only be granted to development which maintains, enhances or improves the character and appearance of the local area.

Highways Safety

8. Directly in front of the boundary wall is a footway which runs along Priory Road. The width of the footway is typical for such a residential street, and is not substantial. With the height of the wall, in particular with pillars that are positioned immediately on either side of the vehicular access, there is limited pedestrian visibility along the footway as the access is approached. When vehicles would be exiting the site through the access, with the limited visibility, this poses an unacceptable risk to pedestrians, despite the likely low speed of vehicles. Although pedestrian use of the footway, and general vehicular use of this part of Priory Road, may be low, I consider this does not diminish the need to ensure acceptable levels of pedestrian safety.
9. The appellant has also drawn my attention to an appeal decision¹ on a different site, which concerned highways safety. I note the design of that wall included railings which allowed pedestrians to have visibility. This is not a characteristic of the wall subject of this appeal, and consequently I am satisfied that the circumstances are sufficiently different.
10. I conclude the wall causes significant harm to highways safety and, therefore, it does not comply with Policy DC34 of the DPD which states that the design and location of access arrangements is to take account of the needs of pedestrians. It also does not comply with paragraph 32 of the National Planning Policy Framework which states that decisions should take account of whether safe and suitable access to the site can be achieved for all people.

Conclusion

11. For the reasons set out above, I conclude the appeal should be dismissed.

Darren Hendley

INSPECTOR

¹ APP/B5480/W/16/3162908 25 Nelmes Way, Hornchurch RM11 2QY.