



Appeal Decision

Site visit made on 24 January 2023

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th February 2023

Appeal Ref: APP/B5480/D/22/3308541

48 Heath Park Road, Romford, RM2 5UH

- 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 Chris Farrow against the decision of the Council of the London Borough of Havering.
 - The application Ref P1487.20, dated 12 October 2020, was refused by notice dated 22 July 2022.
 - The development proposed is the erection of a boundary close boarded timber fence with open trellis.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a boundary close boarded timber fence with open trellis at 48 Heath Park Road, Romford, RM2 5UH in accordance with the terms of the application, Ref P1487.20, dated 12 October 2020.

Procedural Matter

2. The application was made retrospectively and at the time of my visit I saw that the fence had been erected and that the development was complete.

Main Issue

3. The main issue is the effect of the boundary fence upon the character and appearance of the area, including the setting of a grade II listed building at 1 Academy Fields Road, formerly the Frances Bardsley Lower School.

Reasons

4. The appeal property is a semi-detached dwelling within a residential locality. It has a side return boundary to Academy Fields Road, a one-way residential road which loops in a horseshoe fashion around the back of the grade II listed former Frances Bardsley Lower School building, now converted to flats and with a further significant number of residences developed within its former grounds. The fence has been erected along the entire length of the appeal site's side return boundary abutting the back edge of the pavement along Academy Fields Road. It is constructed with vertical close boarded timbers supported by concrete posts at intervals and with trellis on top. Its total height ranges from 2.31m to 2.37m due to the topography of the land, but steps down incrementally to a height of 1.41m at the front of the property adjoining Heath Park Road. The fence encloses land originally to the side of No 48, but which

was acquired by the appellant from the developers of the adjoining residential scheme associated with the former school.

5. The Council considers the fence to be an incongruous addition to the street scene. I disagree. Whilst it may be higher than some conventional garden fences in parts, it is not excessively so, being seen to merge with much taller and mature vegetation set behind it. I find it to be appropriately residential in scale and function, and a typical example of the variety of residential enclosures that sit immediately adjoining the back edges of pavements to many of the roads running perpendicular to Heath Park Road in the immediate locality. I find nothing about its appearance that is incompatible with a residential context and I can detect no conflict with the guidance contained within the Council's *Residential Extensions and Alterations Supplementary Planning Document*, adopted 2011, where it deals with boundary treatment.
6. The nearby grade II listed building sits centrally between the respective junctions of Academy Fields Road with Heath Park Road and recessed deeply behind a landscaped frontage, noticeably out of step with the established, more forward and regular building lines of the dwellings that extend away from it along the road frontage on either side. It has a presence of its own that marks it out as different from the urban context of its surroundings.
7. I share the appellant's view that the significance of the grade II listed building is principally derived from its historical associations with Frances Bardsley, the first headmistress of the original school and a pioneering champion of girls' education, together with its aesthetic value as a clearly identifiable example of an architecturally styled Victorian institution which remains largely intact. In my assessment the wider setting the building is of minor significance. It has long been set amongst the adjoining residences along Heath Park Road, including No 48. This remains so, but to the rear its original open playing fields have given way to a significantly more enclosed setting through substantial contemporary redevelopment that includes a mix of houses and flats which encompass the original school building. The result is an original building which now effectively occupies a small island site of its own, pleasingly landscaped but with little association to the building's former use.
8. No 48 sits close to, but outside of, the immediate sphere of influence surrounding the former school building. The fence has no enclosing impact upon its setting and does not affect how the building is viewed or appreciated in terms of its architectural or historic interest and associations.
9. The Council point to the fact that a brick pillar adjacent to the original side boundary of No 48 has been consumed by the erection of the fence and that a similar pillar exists on the other side of the school building adjacent to 50 Heath Park Road, where the side boundary to that property is marked by a bank of vegetation. I recognise that the pillar has been incorporated as part of the new boundary enclosure to No 48, but it appeared to me to be more associated with the appeal property rather than the setting of the former school. There is no evidence before me to explain its original function. It is possible that it may have marked some form of entrance to the school grounds but if so this has long ceased and is no longer legible, regardless of the fence that has been erected. In any event, the pillar remains in situ and can be visually appreciated within the street scene. Regarding the opposing pillar adjacent to No 50, the pair are separated by a significant distance along Heath

Park Road and have no visual associations with each other. The treatment to the side of No 50 is merely an alternative boundary approach that I find to have little particular relevance to the enclosure at the appeal site.

10. Overall, I find the fence is appropriate in terms of its size and appearance to the residential context of its setting. I find no conflict with Policy 7 of the Havering Local Plan 2016-2031, adopted in 2021, (the HLP) insofar as it deals with the quality of residential design and amenity. I find the contribution made by the wider setting of the adjacent grade II listed building upon its significance as a heritage asset to be low, and the effect had by the fence upon the building's setting to be neutral. As such, I conclude that the building's significance as a heritage asset has been unaffected by the erection of the fence at 48 Heath Park Road. Accordingly, there is no conflict with the support offered for such development by HLP Policy 28. For the same reasons I find no conflict with the National Planning Policy Framework's objectives for achieving well-designed places and for conserving and enhancing the historic environment.

Other Matters

11. I have noted some concern expressed by some residents over the erection of the fence. Matters relating to the appearance of the fence and its relationship with the adjacent listed building are addressed above. There is no evidence to support an assertion that the fence has enclosed publicly owned space. I note that the fence adjoins the front boundary of 1 Academy Fields Road to the rear but given the set-back from the edge of the vehicular highway, and the directional flow of traffic, I am not persuaded that the fence has any significant impact upon how vehicles emerge from the adjoining driveway. There is no evidence to suggest that pedestrians approaching the adjacent driveway would not have adequate sight of any emerging vehicle. I note also that the Council did not raise any issue with regard to highway or pedestrian safety matters.

Conditions

12. As the development has already taken place, and based on my findings as they relate to the structure in-situ, I have no reason to impose any conditions.

Conclusions

13. For the reasons given, in the absence of any other conflict with the development plan, and having regard to all other matters raised, the appeal is allowed.

John D Allan

INSPECTOR