

Appeal Decision

Site visit made on 6 March 2024

by K E Down MA(Oxon) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st March 2024

Appeal Ref: APP/B5480/D/23/3335069

12 Mungo Park Road, Havering, Rainham, RM13 7PA

- 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 Vanaraj Nadesu against the decision of the Council of the London Borough of Havering.
 - The application Ref P1368.23, dated 5 September 2023, was refused by notice dated 2 November 2023.
 - The development proposed is a front railing, gate and boundary wall.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The Council's decision notice includes an unnumbered paragraph regarding inadequate on-site car parking. However, this is not an issue that is raised by the Council in its delegated report and the appeal site has ample off-street parking. It therefore appears that this paragraph is due to a clerical error. I have not therefore addressed the matter further in my decision.

Main Issues

3. There are two main issues. Firstly, the effect of the boundary railing, gate and wall on the character and appearance of the street scene; and secondly, the effect of the proposed gate on highway safety with respect to vehicles, cyclists and pedestrians.

Reasons

4. The appeal dwelling is an end of terrace house on a large plot. It has been extended in the past, including to the side, and split into two dwellings. Although it is part of the Mungo Park Estate and is similar in design and layout to other dwellings, it and its neighbours face onto and are accessed from the busy South End Road. Front boundaries on nearby dwellings and elsewhere in Mungo Park Road comprise mainly low walls, low railings or open frontages. The appeal dwelling lies adjacent to a school the boundary of which comprises high railings.
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5. At the time of my site visit the proposed development had, in part, been carried out. The original low brick wall and hedging had been removed and a low rendered wall had been built. This had a height of about 0.9m. Owing to its limited height, the wall did not appear materially out of place in the street scene.
6. The appeal proposal includes the addition of higher piers with railings between and a gate across the vehicular access. The railings and gate would have a curved profile with a maximum height of some 1.8m. Although the railings and gate would be visually permeable, they would nevertheless create a barrier between the dwelling and the street which would be out of keeping with frontages nearby. The enclosure of the frontage would detract from the openness of the street scene and the character and appearance of the Mungo Park Road estate. Although the site lies adjacent to a school with higher boundary railings this would not justify a different boundary treatment that would appear incongruous in the context of the appeal dwelling and its neighbours.
7. It is concluded on the first main issue that the proposed boundary railings and gate would materially detract from the character and appearance of the appeal site and the street scene. In consequence, the proposed development would conflict with Policies 7 and 26 of the Havering Local Plan 2016-2031 (LP), adopted 2021, and with the Residential Extensions and Alterations Supplementary Planning Document (SPD), 2011. Taken together and amongst other things, these expect new development to be of a high quality of design that is attractive and respects, reinforces and complements the local street scene. In particular, boundary treatments should reinforce the prevailing character of the streetscape.
8. Turning to highway safety, South End Road is a busy street carrying a variety of traffic including larger vehicles. There are junctions in the vicinity of the appeal site. The proposed gate would be on the boundary between the appeal site and the footway. This would mean that in order to access the site, vehicles would have to wait within the highway carriageway, and potentially across the footway, for the gate to be opened.
9. The proximity of other driveways, a layby, junctions and a school in the vicinity of the appeal site all amount to potential hazards and distractions to drivers. The addition of waiting vehicles, which would be unexpected on this part of South End Road, would add a further potential hazard.
10. The appellant states that the gate would be automatic in order to reduce wait times. However, the gate would not be opened automatically until a vehicle was in the vicinity of the entrance and the time taken for it to open would inevitably add a delay. This would result in the vehicle causing a material obstruction in the highway that would materially detract from highway safety in the area.
11. It is concluded on the second main issue that the proposed gate would materially detract from highway safety in the vicinity of the appeal site with respect to vehicles, including cyclists, and pedestrians. In consequence, it would conflict with LP Policy 23 which, amongst other things, expects development to ensure the safe and efficient use of the highway.

12. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

KE Down
INSPECTOR