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## Appeal Decisions

Site visit made on 30 September 2025

**by R Satheesan BSc PGCert MSc MSc MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 10 October 2025**

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### **Appeal Ref: APP/B5480/C/23/3330492 & APP/B5480/C/23/3330493**

#### **7 Farm Road, Rainham, RM13 9JU**

- The appeals are made under section 174 of the Town and Country Planning Act 1990 (as amended).
  - The appeal is made by Mrs Lisa Hookway and Mr Paul Hookway against an enforcement notice issued by the Council of the London Borough of Havering.
  - The notice was issued on 1 September 2023.
  - The breach of planning control as alleged in the notice is: the construction of boundary treatments in excess of 1 metre high within the front curtilage.
  - The requirements of the notice are:
    1. Demolish to ground level the boundary treatments (walls, pillars, railings and gates) facing Farm Road; OR
    2. Reduce all boundary treatments (walls, pillars, railings and gates) facing Farm Road to a height no higher than 1 metre; AND
    3. Remove all debris, rubbish or other materials accumulated as a result of taking step (i) or step (ii) above.
  - The period for compliance with the requirements is 2 months.
  - The appeal is proceeding on the ground[s] set out in section 174(2)(a) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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### **Decision**

1. It is directed that the enforcement notice is:
  - Corrected by deleting the allegation within section 3 of the enforcement notice (the breach of planning control alleged) and its replacement with:

“Without planning permission, the erection of front boundary walls with metal railings and gates fronting Farm Road.”
2. Subject to the correction, the appeals are allowed, the enforcement notice is quashed, and planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act as amended for the development already carried out, namely the erection of front boundary walls with metal railings and gates at 7 Farm Road, Rainham, RM13 9JU referred to in the notice.

### **Preliminary Matters**

3. The allegation in the Notice, is poorly worded. However, the appellants appear to have understood the allegation, and, in my opinion, the poor wording does not render the notice unclear. It is necessary however to correct the allegation but retaining the effect of what the Council is trying to achieve. This would not cause injustice, and I can therefore use my powers under the provisions of s176(1)(a) to achieve this correction.

## **Main Issue**

4. The main issue is the effect of the development on the character and appearance of the area.

## **Reasons**

5. The appeal site relates to a generous two-storey detached dwelling with a landscaped front garden and drive. The area comprises a mix of detached and semi-detached two storey houses and bungalows of various styles and designs, set behind well-sized landscaped front gardens which gives the road a pleasant suburban character. During my site visit I also observed that there were a variety of heights and styles of boundary treatments in the vicinity of the site. This appeal relates to the retention of a low brick wall with traditional metal railings painted black, between pillars and an electric vehicular metal gate also painted black.
6. Havering Residential Extensions and Alterations Supplementary Planning Document, 2011 (SDD) states that the retention of boundary treatment, such as a low wall or fence, is important in providing a buffer between the public and private realm and that boundary treatments should reinforce the prevailing character of the streetscape.
7. The current brick wall and piers and the metal railings painted black have a traditional appearance which blend in well with the site and the surrounding area. Indeed, during my site visit I observed that similar height boundary treatments, and metal railings and gates, painted black, are seen elsewhere on a number of properties in the area including Nos 1, 62, 76, 79, 80 and 83 Farm Road.
8. Given the overall size of this detached property, the front boundary walls, brick piers and metal railings and gates do not look disproportionate in terms of its size, height, scale or appearance. Furthermore, the boundary treatment, with its modest brick wall, and metal railings above allows views through to the site and the landscaped garden, not dissimilar to other boundary treatments and gardens seen elsewhere in the locality. In this respect the front boundary treatment does not dominate the appearance of the property and adequately respects the context and character of the area.
9. I appreciate that an appeal was dismissed on 9 May 2023 in relation to the refused planning application for the same development. In that case, the Inspector concluded that development has a negative effect on the character and appearance of the area, harming the street-scene. Nevertheless, that decision was some two half years ago, and so it is unclear if the examples of similar front boundary treatments I have noted above were all evident at that time. Furthermore, since that appeal, the appellant has undertaken a further survey of front boundary treatments in the area which I have had regard to. It is on the basis of this latest evidence and my own on-site observations that I have made my decision.
10. I therefore conclude that the development does not have a harmful impact upon the character and appearance of the area. Accordingly, the development complies with Policies 26 of the Havering Local Plan 2016 – 2031, adopted in 2021 and the Council's SPD. Amongst other things, these state that the Council will promote high quality design that contributes to the creation of successful places in Havering by supporting development proposals that are informed by, respect and

complement the distinctive qualities, identity, character and geographical features of the site and local area; and are of a high architectural quality and design.

**Other matters**

11. Comments made by third parties have been taken into account but do not alter the conclusions reached in this decision.
12. No conditions have been suggested by the Council and as the development appears to be completed, there is no need for any.

**Conclusion**

13. For the reasons given above I conclude that the appeals succeed on ground (a). I shall grant planning permission for the development described in the enforcement notice as corrected.

*R Satheesan*

INSPECTOR