

Appeal Decision

Site visit made on 27 February 2024

by K E Down MA(Oxon) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th March 2024

Appeal Ref: APP/Z5060/D/23/3330855
18 Cornwallis Road, Dagenham, RM9 5NA

- 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 Nazamul Islam against the decision of the Council of the London Borough of Barking and Dagenham.
 - The application Ref 23/01136/HSE, dated 16 July 2023, was refused by notice dated 7 September 2023.
 - The development proposed is an alteration to boundary fence.
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Decision

1. The appeal is allowed and planning permission is granted for an alteration to the boundary fence at 18 Cornwallis Road, Dagenham, RM9 5NA in accordance with the terms of the application, Ref 23/01136/HSE, dated 16 July 2023 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 19/368/001, 19/368/002, 19/368/003 rev. A.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those shown on the approved plan ref. 19/368/003 rev. A and described on the original application form.

Main Issue

2. There is one main issue which is the effect of the proposed boundary treatment on the character and appearance of the appeal site, the street scene and the surrounding area, including the Becontree Estate.

Reasons

3. The appeal dwelling is an end of terrace house on the Becontree Estate. It is set on a wide corner plot, adjacent to the entrance to a pedestrianised banjo cul-de-sac which is an architectural feature of the estate. The Becontree Estate is an interwar development of "Homes for Heroes" which was the largest estate of its kind in the world. The estate therefore has heritage value for historical and
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communal/social reasons owing to its purpose and place in history. Whilst not a Conservation Area, the Becontree Estate is a non-designated local heritage asset of some significance.

4. The National Planning Policy Framework (NPPF) states that the effect of an application on the significance of a non-designated heritage asset should be taken into account. A balanced judgement is required, having regard to the scale of any harm and the significance of the heritage asset.
5. The existing front boundary is marked by a modern close boarded fence about 1m in height which increases to some 1.8m towards the corner and entrance to the cul-de-sac. The fence is set between concrete pillars and above a concrete base. It is of little architectural merit. The long side boundary between the appeal dwelling and its non-attached neighbour which faces onto the cul-de-sac is marked by a continuation of the 1.8m close boarded fence. It is not proposed to alter this section.
6. Although fences of various heights are seen fronting the highway in Cornwallis Road and the surrounding area, they do not appear to be original. Other boundary treatments include: low brick walls, most of which appear well established and some of which have higher brick piers; hedges; railings; and a significant number of open frontages to allow for off street parking. There is no uniformity either in terms of material or height.
7. The proposed boundary would comprise a brick wall some 1m high interspersed with higher brick piers. Traditional curved railings would be situated between the piers and would have a height range from the ground of between 1.3m and 1.5m. The open entrance would be enclosed by a sliding gate to match the railings in terms of height and material.
8. In view of the wide range of boundary treatments in Cornwallis Road and the immediately surrounding area I consider that the proposed materials would be acceptable. Moreover, although the Council raises concerns regarding the height of the overall structure, this would be predominantly open railings above 1m and the new boundary would extend to the corner with the cul-de-sac where currently there is a higher fence, thus improving the openness at the corner. Overall, I therefore find that the new boundary treatment would improve the appearance and openness of the appeal site and this section of Cornwallis Road. It follows that it would also preserve the character and appearance of the Becontree Estate.
9. It is concluded on the main issue that the proposed boundary treatment would have no materially detrimental effect on the character or appearance of the appeal site, the street scene or the surrounding area, including the Becontree Estate. In consequence, taken in the context of more strategic policies in The London Plan (LP), 2021, and the Council's Core Strategy (CS), 2010, the proposed boundary treatment would comply with Policies BP2, BP8 and BP11 of the Borough Wide Development Policies Development Plan Document (DPD), 2011, and with the NPPF. Taken together these expect new development to be visually attractive as a result of good architecture, sympathetic to local character and history so as to help create a sense of local identity, distinctiveness and place and to respect the local context of non-designated heritage assets such as to avoid materially detracting from their significance. It

would also comply with emerging policies in the Draft Local Plan 2037 which seek to ensure similar protection.

10. The Council has suggested two conditions in addition to the statutory commencement condition. I agree that the development should be carried out in accordance with the approved plans in order to protect the character and appearance of the area and to provide certainty. I also agree that it is necessary to control the materials in order to protect the character and appearance of the area. However, since these will not match the existing building, I have adjusted the wording of the proposed condition.
11. For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should be allowed.

KE Down
INSPECTOR