



Appeal Decision

Site visit made on 13 May 2024

by Chris Couper BA (Hons) DiP TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th May 2024

Appeal Ref: APP/E5900/D/24/3340829

17 Stutfield Street, Tower Hamlets, London E1 1RF

- 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 Abdul Hussain against the decision of the Council of the London Borough of Tower Hamlets.
 - The application Ref PA/23/02178, dated 28 November 2023, was refused by notice dated 10 January 2024.
 - The development proposed is described as a part retrospective application for the erection of a metal fence; with a proposed green screening to the metal fence.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The fence the subject of this appeal is already in place. As well as its retention, the scheme involves the provision of a green mesh, as described in the appellant's statement and as depicted on drawing no. 19/418/002 Revision A. I have dealt with the appeal on this basis.

Main Issue

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

Reasons

4. The host comprises a mid-terrace property, which sits on a roughly 'L' shaped plot, with a hardstanding area fronting on to Christian Street. Where the buildings on Christian Street are set back from the road, they are typically sited behind low masonry walls, or low metal railings. That boundary treatment either abuts the pavement as at Halliday House, or is set back slightly from it sometimes behind landscaping, such as opposite this site at Wilson Tower.
5. The metal fencing and sliding gate on this site are around 2.2 metres high. Whilst they are lower than the buildings to either side, and allow views through to the parking area just beyond, they are substantially taller than most nearby frontage boundary treatment. Rather than architecturally-designed as claimed, they appear as a standard, sharply-pointed, palisade security feature. The combined effect of their design, height, and siting next to the pavement, makes them an imposing and unwelcoming presence in the streetscene.

6. Although I observed a short section of palisade fencing next to Christian Street just beyond the railway bridge to the south, that is not typical of the area; and compared to the black metal fencing a little way to the north of the site at Drewett House this fencing is taller and of a more intimidating design. The boundary treatment at Hodgeson House is much subtler, lower and more bespoke than here.
7. In order to mitigate its impact on the streetscene, the appellant has suggested that the boundary treatment could be provided with a green mesh. Whilst I have few details of that proposal, I consider that it would result in a rather contrived and artificial appearance, which would contrast unfavourably with other boundary treatment materials in the area, and it would result in an incongruous sense of enclosure along this part of the streetscene.
8. For the above reasons, the scheme causes significant harm to the streetscene and to the character and appearance of the immediate area. It therefore conflicts with The London Plan (2021) ('LP') Policy D4, and Tower Hamlets Local Plan 2031 (2020) ('THLP') Policy S.DH1. Amongst other things, and in general terms, these require good design, that respects and positively responds to its context, having regard to matters such as height and materials.
9. However, as LP Policy HC1 addresses the historic environment, and THLP Policy D.H3 addresses housing standards, they are not relevant to this scheme.
10. The appellant states that the fencing is required to prevent anti-social behaviour and unauthorised parking, and to improve the household's privacy. However, I am not persuaded that this scheme is the only way in which those issues could be addressed, and the benefit to the appellant does not outweigh the significant harm that the development causes to the character and appearance of the area.
11. For these reasons, and having regard to all other matters raised, the appeal is dismissed.

Chris Couper

INSPECTOR