

# Appeal Decision

Site visit made on 19 November 2024

**by C J Leigh BSc(Hons) MPhil MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 19 December 2024**

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**Appeal Ref: APP/B5480/D/24/3349346**

**22 Nelmes Crescent, Hornchurch, RM11 2QB**

- 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 Mehtab Iqbal against the decision of the Council of the London Borough of Havering.
  - The application Ref P0455.24, dated 28 March 2024, was refused by notice dated 29 May 2024.
  - The proposed development was described as 'planning application for changes to existing front boundary treatment'.
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## Preliminary matters

1. A boundary wall, pillars, railings and gate, have been erected at the appeal property, which replaced a pre-existing wall at the property. Permission was refused in March 2024 by the Council to retain these works (ref. P0083.24). The application the subject of this appeal sought retention of the boundary treatment but with modifications, namely a reduction in the height of the wall, the pillars and the railings, and the gate. On this basis, the Council's description of development as contained on the decision notice was 'front boundary treatment, part retrospective for a reduced scheme'.

## Decision

2. The appeal is dismissed.

## Reasons

3. The main issue in this appeal is the effect of the proposal on the character and appearance of the surrounding area.
4. The property lies in an area where front boundary treatments vary. I saw at my site visit that there are walls, railings, gates and open driveways to properties, with the design and use of materials differing. The design and form of houses also varies.
5. However, within this general pattern of variety there remains a degree of consistency in the set-back of houses along Nelmes Crescent along the same building line. This creates a spacious character to this suburban area. Views across houses' front gardens or parking areas are important in contributing to that character. Although I have noted there is variety in the front boundaries,

there is also a predominant character of boundary walls being low, as well as many open driveways without gates and/or walls.

6. The appellant has drawn my attention to a number of houses with taller walls, pillars and gates that fill the front boundary width. These are not as prevalent as the low or open boundary treatments, and where they have occurred they create a degree of enclosure to the street that detracts from the spacious character of the suburban area, so reducing the quality of the street scene. It is apparent from the information submitted to me that the very great majority of those walls were built without a grant of planning permission. I acknowledge that, due to the passage of time, it is possible some might be immune from enforcement action. However, that does not affect my finding that the taller boundary treatments filling the width of their plots are not the predominant means of enclosure along the road. Furthermore, where they have occurred, they cause harm to the wider and established spacious character of the area.
7. The proposals in this appeal would represent a boundary treatment that displays the undesirable effects seen in the other tall means of enclosure in the street. Whilst the brick walls would be similar to the pre-existing boundary treatment, the railings atop the walls, the pillars and the gate would be considerably higher. I do not agree that these will present an open and permeable appearance to the area. It is only in close proximity to the property where that effect might occur to some extent. In views along the street the pillars, railings and gate would be seen together and be very clear as a built-form that leads to a sense of enclosure, and hence reduction in spacious character. Indeed, I could see this adverse visual effect clearly already in evidence by seeing pillars, railings and gates at place in houses along the road.
8. Policy D4 of the London Plan 2021 and Policy 26 of the Havering Local Plan 2021 seek to promote high quality design which, amongst other matters, is informed by and respects the character of the local area. The Residential Extensions and Alterations Supplementary Planning Document 2011 also seeks to ensure alterations to properties enhance and protect the positive qualities and characteristics of both individual dwellings as well as the wider streetscape. The proposed development would not meet these requirements.
9. The appellant states that they wish to have the boundary enclosure to provide security to their property. The area behind the wall and gates is the parking area for the property, with the house sitting behind that. The appellant has provided generalised crime statistics for the wider area which do not provide any specific evidence that their property is at a specific or heightened risk that cannot be met by other means of improving security to the parking area, vehicles, or to the house. Whilst I appreciate the appellant's wishes to improve security to their house, I must balance these personal circumstances against wider matters of acknowledged importance as set out in adopted planning policies and in the main issue in this appeal. I consider the conflict with the development plan as outlined above clearly outweighs those personal circumstances. The appeal is dismissed.

*C J Leigh*

INSPECTOR