ALTMORE ARCHITECTURE
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Planning statement

Retention of open mesh animal deterrent

17 Lathom Road, East Ham, London E6 2DU

Applicant: Mr Abdul Rashid Jiva
Prepared on behalf of the applicant by the architect acting as agent
Council reference: 26/01749/HH | Planning Portal: PP-15118070 18 September 2026

1 Purpose and scope

This statement supports retrospective planning permission to retain the open metal mesh and supporting posts at the rear of 17 Lathom Road. The mesh provides a physical barrier against fox access to the applicant's garden and home. The applicant confirms that it is effective in keeping foxes at bay and has restored his confidence to use the garden. We act as the applicant's architectural agent in presenting the planning case.

Permission is sought to retain a visually permeable installation that meets a practical household need while preserving views through the upper boundary treatment. Its purpose, open construction and rear domestic setting should be considered together. The applicant's documented health and mobility needs give particular weight to the benefit of being able to enjoy and move around his garden with confidence.

The Council has granted an extension of time for the submission of the outstanding information requested in its validation letter of 13 August 2026.

2 Development and site context

The photographs show dark rectangular-grid metal mesh fixed to regularly spaced posts above rendered walls and along the edge of a flat-roofed rear building. Several posts and mesh sections have angled upper returns. The mesh follows the enclosure of a domestic courtyard/garden containing paving, outdoor furniture and access to the rear building. Trees, pitched roofs and neighbouring development remain visible beyond it (Appendix A, Images 1, 2 and 5).

The requested development description is: "Retention of open metal mesh and supporting posts, including angled upper sections, above existing rear boundary walls and along the rear outbuilding roof edge, as an animal deterrent (retrospective)." This wording is proposed for agreement with the Council and must correspond with the measured application drawings.

The term mesh identifies the actual construction and its visual permeability. It does not seek to avoid assessment as a boundary treatment or other means of enclosure. This statement concerns the mesh and its supports; it does not seek permission for the rear building or any separate use of that building.

3 Evidence and the applicant's needs

Fox activity

The applicant reports that foxes had become increasingly bold, approaching the doorway and entering the house before the mesh was in place. These encounters were particularly worrying in view of his health and mobility difficulties and made him afraid to go into the garden. Images 3 and 4 illustrate fox activity close to the garden and doorway; the history of entry into the house is provided by the applicant's account.

The applicant confirms that, in his experience, the installed mesh prevents foxes from entering the garden and house and keeps them at bay. Its benefit is therefore already being experienced in the day-to-day use of the property. Image 5 shows a fox beyond the mesh at roof level, with the mesh between the animal and the courtyard viewpoint. The continued presence of foxes in the surrounding area is consistent with the need to retain a barrier protecting the applicant's immediate domestic space.

Documented health and mobility needs

The GP record from Lathom Road Medical Centre, printed on 14 September 2026, records epilepsy and a history of seizures. The consultation of 26 April 2024 records reported falls attributed to epilepsy, unsteadiness and difficulty with stairs (record page 21). The record also documents stage 4 chronic kidney disease with proteinuria and ongoing specialist care (problem list, page 28). These documented circumstances are relevant to the importance of a manageable and reassuring home environment.

The Department for Work and Pensions letter dated 12 June 2026 confirms standard-rate daily living and enhanced-rate mobility components of Personal Independence Payment for the stated award period from 7 May 2026 to 11 June 2032. This independently supports the existence of assessed daily living and mobility needs.

The applicant reports that the mesh has enabled him to enjoy the garden without the previous fear of foxes approaching him or entering the house. This supports his willingness to go outdoors and move around within his own garden, within his physical capabilities. The benefit is practical: existing outdoor amenity space becomes more usable, with greater confidence and opportunity for everyday movement. A passive barrier also reduces the need for him to confront or move away quickly from an animal. These are meaningful benefits to residential amenity and inclusive use of the home.

Equality and proportionate consideration

We invite the Council to give express consideration to the applicant's disability-related needs under section 149 of the Equality Act 2010. The reported improvement in his confidence and use of the garden is directly relevant to considering those needs alongside the interests of neighbouring occupiers. The proposal offers a practical response to a barrier to his enjoyment of existing domestic amenity space. [7]

Only the relevant medical summary is included in this statement. The underlying GP and PIP documents should be handled separately as confidential supporting evidence, with publication arrangements agreed with the Council.

4 Planning policy framework

The statutory starting point is section 38(6) of the Planning and Compulsory Purchase Act 2004: determination in accordance with the development plan unless material considerations indicate otherwise. Section 73A of the Town and Country Planning Act 1990 provides for retrospective permission. The application must therefore be assessed on its planning merits, with applicable national policy also considered. [1, 6]

Adopted local and regional policy

The Council's published Local Plan page identifies the Newham Local Plan 2018, together with the London Plan, as the development plan. The most directly relevant local policies are SP2 Healthy Neighbourhoods, SP3 Quality Urban Design within Places and SP8 Ensuring Neighbourly Development. SP1 Borough-wide Place-making provides the wider context. [2]

SP2(1)(a)(iv) links housing quality, reduced insecurity and stress, and inclusion to better design. SP3(1)(a), (e) and (f) address design quality, local character and sensitivity to innovation. SP8(2)(a)(i), (v), (x), (xii) and (xiii) address boundary treatments, amenity space, access, daylight, privacy and overbearing effects. These direct the assessment towards both the function of the installation and its effects on adjoining occupiers. [2]

The London Plan 2021 provides relevant support through GG3 Creating a healthy city, D3 Optimising site capacity through the design-led approach and D5 Inclusive design. D3(D), particularly its amenity and design considerations, requires context-sensitive, safe and practical development. D5(B) addresses ease, safety and dignity of use. The open construction and reported improvement to the applicant's enjoyment of domestic space should be considered together under these policies. [3, 4]

Newham's Altering and Extending Your Home SPD, adopted February 2018, reinforces protection of neighbours' daylight, privacy and outlook. Its neighbourliness principles are relevant; extension-specific dimensional guidance is not a substitute for assessment of this mesh installation. [5]

National and emerging policy

The applicable NPPF was published on 17 August 2026. DP3 addresses context and design; DM3 requires proportionate, constructive decision-making; DM6 governs conditions; and DM4 governs the weight of emerging plans. Under DM8(2), evidenced intentional unauthorised development attracts substantial weight. Retrospective status alone does not establish that factual conclusion; the installation chronology and any relevant correspondence should inform its assessment. [1]

Newham received its Inspector's Report on 18 August 2026, finding the replacement plan sound subject to modifications. Its published examination page states that formal adoption is to follow. Emerging D1 Design standards and D6 Neighbourliness are therefore relevant, with weight assessed under DM4 and the Inspector's modifications. They reinforce contextual design and protection of neighbours. The July 2026 Draft London Plan, including MBUL6 and MBUL8, remains emerging rather than adopted policy. [8-11]

5 Design and residential amenity

An open addition to an existing enclosure

The principal design distinction is between the existing solid enclosure and the open mesh added above it. Image 1 clearly shows sky, trees and buildings through the grid; Image 2 shows the mesh against the wider rear setting. The installation has no opaque sheet infill in these views. Its openings materially reduce visual obstruction compared with a solid screen of equivalent height.

Transparency does not make the installation invisible. The posts, repetitive grid and angled tops introduce an additional line above the walls and roof. Their effect should be judged from representative neighbouring and public viewpoints, taking account of the full combined height. However, visibility alone is not a reason to reject a functional domestic alteration. The relevant question is whether its scale and detailing cause unacceptable harm in this particular setting.

The dark finish relates visually to the dark trim and window frames on the rear building. The regular mesh pattern gives the addition a consistent appearance. The photographic context comprises garden walls, domestic rear development and vegetation; that context provides a reasonable setting for a functional, open treatment. We do not suggest that mesh of this height is an established local feature, or that street views have been demonstrated to be unaffected.

Light and outlook

The mesh retains a substantial degree of visual openness above the existing walls. Its incremental effect on light and outlook should therefore be materially less than that of an opaque enclosure occupying the same envelope. This is a qualitative assessment of the construction, not a calculated daylight result or a claim of zero effect. Total height, boundary levels and the relationship to the nearest habitable-room windows remain relevant to SP8.

In assessing enclosure, the Council should distinguish the visual weight of individual supports and wires from a continuous solid surface. The visible returns require particular scrutiny, but the views through the grid remain appreciable. The retention case is strongest where the measured drawings demonstrate that the height and extent are limited to the deterrent function and do not impose an oppressive outlook on adjoining occupiers.

Privacy and use of space

The mesh itself creates no additional floor space, viewing platform or elevated place of occupation. Its presence above the rear building should not be treated as evidence that permission is sought for a roof terrace. It provides no justification for a separate change of use. Existing overlooking relationships are not intensified by creating a new viewing position through this proposal.

A perimeter-mounted deterrent can preserve usable garden space without introducing freestanding equipment into circulation routes. Retention should maintain unobstructed access and escape, with secure fixings and safe edges. These practical requirements are consistent with the applicant's needs and with neighbourly development. Any physical projection beyond the applicant's boundary must be addressed in the measured details.

6 Proportionality and planning balance

A reasonable response to the stated problem

The mesh serves a preventative purpose: it keeps foxes at a physical distance from the space the applicant uses, without harming them or replacing the upper enclosure with solid panels. The applicant's experience of its effectiveness supports retention of the installation as built. Garden management and the removal of food attractants can complement the barrier, but do not provide the same physical separation at wall and roof level. General wildlife guidance supports humane approaches to deterrence. [12]

Image 5 illustrates why the relationship between the mesh, boundary walls and roof edge matters. Foxes remain present beyond the protected space; the applicant reports that the mesh prevents their access into his garden and home. The angled upper sections form part of the installed arrangement he identifies as effective. Any proposed alteration should therefore consider its effect on that protective function as well as its appearance.

Conditions and any necessary refinement

If the Council identifies a limited concern about appearance, we invite discussion of a precise adjustment or condition before refusal, consistently with NPPF DM3 and DM6. A suitable control would require the approved mesh to remain open, without the attachment of opaque panels, screening fabric, slats or other infill. A further control could retain the approved dark finish and require damaged components to be repaired to the approved appearance.

Approved drawings should define the full extent, combined heights, post spacing, angled returns and fixing arrangement. Any agreed physical alteration should be shown explicitly, with a reasonable compliance period appropriate to retrospective works. A condition should not leave the fundamental acceptability of an unknown height to be resolved after permission.

Conclusion

The proposal responds to photographed fox activity, the applicant's account of foxes previously entering the home, and documented health and mobility needs. He confirms that the installed mesh prevents access and has enabled him to return to enjoying and moving around the garden with confidence. The open mesh preserves views through the upper enclosure and introduces no new occupied floor area. Together, these benefits provide a positive case under Newham's health, design and neighbourliness policies and the London Plan's inclusive design objectives.

The planning balance should recognise both the open character of the installation and the practical difference it makes to this applicant's use of his home. Its purpose is to protect domestic amenity while allowing visual openness to remain. Retention would preserve a measure the applicant reports is working and avoid the loss of confidence that previously restricted his use of the garden.

Subject to the dimensioned scheme demonstrating acceptable relationships with neighbouring properties and the resolution of validation requirements, we respectfully request retrospective planning permission. Where a specific element requires refinement, a targeted solution would allow the Council to retain the applicant's practical benefit while addressing the identified planning concern.

Appendix A Photographic evidence

Photographs supplied on behalf of the applicant. Capture dates and camera directions have not been independently verified. Captions distinguish visible features from the planning interpretation. Images are reproduced without alteration to their content.



Image 1 Open mesh above a rendered wall. Buildings, vegetation and sky can be seen through the rectangular grid. The dark posts and an angled upper section are visible. This supports visual permeability, while illustrating the need to assess the combined wall and mesh height.



Image 2 Courtyard view towards the rear building. Mesh and supports run along the roof edge and adjoining walls. The view shows its relationship to domestic structures and trees, including its visible upper silhouette.

Appendix A Fox activity near domestic space





Image 3 left Fox photographed on the garden surface.
Image 4 right Fox immediately outside a glazed door, with its forepaws raised.

Images 3 and 4 illustrate fox activity in the garden setting and immediately at the doorway. The applicant reports that foxes had become less fearful, approached the door and entered the house before the mesh was installed. The photographs support the account of close approaches; the incidents of entry into the house are described by the applicant.

The applicant confirms that the installed mesh now prevents foxes from entering his garden and home. He reports that this has restored his confidence to go outdoors, enjoy the garden and move around within his abilities. These images explain the concern that the mesh addresses and should be read alongside that account of its effectiveness.

Appendix A Fox visible behind the mesh



Image 5 View from the courtyard showing a fox behind the open mesh at approximately roof level. Trees and roof tiles remain visible through the grid.

Image 5 shows a fox beyond the mesh, with the barrier between the animal and the courtyard viewpoint. It illustrates the presence of foxes near the roof edge and the mesh's visual permeability: the animal, vegetation and roof tiles remain visible through the grid. Read alongside the applicant's account that the installation keeps foxes out of the garden and home, the image explains the continuing purpose of the barrier.

Appendix B Policy and evidence references

Policy status checked on 17 September 2026. References identify the specific provisions used; the assessment applies them proportionately to the mesh installation.

[1] MHCLG, National Planning Policy Framework, August 2026. Introduction paragraph 3; DM3, DM4, DM6, DM8 and DP3. Official source

[2] Newham Local Plan 2018. SP1, pp 54-55; SP2, p 56; SP3, p 61; SP8, pp 92-93. Adopted plan and status. Official source

[3] London Plan 2021, Chapter 3. D3(D) design and amenity; D5(B) inclusive design. Official source

[4] London Plan 2021, Chapter 1. GG3 Creating a healthy city. Official source

[5] Newham, Altering and Extending Your Home SPD, February 2018. Neighbourly Development, p 5. Official source

[6] Planning Practice Guidance, Enforcement and post-permission matters. Retrospective applications under section 73A. Official source

[7] Equality Act 2010, section 149, particularly subsections (1), (3) and (4). Official source

[8] Newham Local Plan examination. Inspector's Report received 18 August 2026; formal adoption to follow. Official source

[9] Newham Draft Submission Local Plan, June 2024, Part 1. D1, p 49, and D6, p 89; read with the Inspector's modifications. Official source

[10] Newham Inspector's Report Appendix 1, Main Modifications, 18 August 2026. Official source

[11] Draft London Plan, July 2026. Chapter 2, MBUL6 High quality design and MBUL8 Inclusive design; emerging status. Official source

[12] RSPCA, Foxes in the garden. General guidance on humane deterrence. Official source

Applicant evidence

Council validation letter dated 13 August 2026, supplied as email from council.pdf (substantive letter on PDF pages 2-3); GP record printed 14 September 2026 (28 pages); PIP letter dated 12 June 2026 (photograph of page 1 of 7); and the five photographs reproduced in Appendix A. Medical source documents are not reproduced in this public-facing statement.