

Appeal Decision

Site visit made on 14TH November 2016

by Alison Roland BSc DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 5 December 2016

Appeal Ref: APP/W1905/D/16/3156936

2 Goffs Lane, Cheshunt, Hertfordshire, EN7 5EF.

- 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 Ross Lennon against the decision of Broxbourne Borough Council.
 - The application Ref: 07/16/0529/HF, dated 29 April 2016, was refused by notice dated 4 July 2016.
 - The development proposed is erect a boundary fence around the rear/side garden of the property adjacent to the existing hedge.
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Procedural Matter

1. The fence is already in situ and I have therefore dealt with the appeal on the basis of an application for retrospective planning permission.

Decision

2. The appeal is allowed and planning permission is granted for a boundary fence around the rear/side garden of the property adjacent to the existing hedge, at 2 Goffs Lane, Cheshunt, Hertfordshire, EN7 5EF, in accordance with the terms of the application Ref: 07/16/0529/HF, dated 29 April 2016.

Main Issues

3. The main issues in this appeal are the implications of the proposal for (1) highway safety and (2) the character and appearance of the area.

Reasons

4. The appeal property sits at the junction of Churchgate Road with Goffs Lane, which is marked by a mini roundabout. The fence has been erected behind the existing boundary hedgerow and low wall to the front/side of the property. On the northern boundary, it runs alongside a vehicular access and parking area which serves the dwelling.
 5. The Council maintain that the fence severely restricts visibility for vehicles exiting the site and at first glance, given its position alongside the existing vehicular access, this would potentially appear to be the case. However, on closer inspection, it is clear that visibility is in fact impeded by the existing hedge which stands to the front of the fence. This restricts views of oncoming
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vehicles to the right from the mini roundabout. It seems to me that the situation would be little different in this regard if the fence did not exist and is a situation that has seemingly persisted for some time.

6. Moreover, whilst I noted a considerable throughput of traffic across the mini roundabout at my visit, it is apparent that drivers traversing it are doing so at slow speed, which would along with the geometry of the road at this point, allow them time to anticipate any vehicles exiting the appeal site. This is especially the case, as there are numerous vehicular accesses in the immediate vicinity and indeed, directly adjacent to the mini roundabout itself, which will cause drivers to exercise particular care.
7. On the first main issue, I therefore find that the fence does not compromise highway safety in the vicinity of the appeal site. I accordingly find no conflict with Policy H6 of the Broxborough Local Plan Second Review 2001-2011 (December 2005) (LP), the Council's Borough Wide Supplementary Planning Guidance (August 2004 updated 2013), or the objectives of the Framework, which seek amongst other things to ensure that development achieves (and thereby does not compromise) safe and suitable access.
8. In relation to character and appearance, it is fair to say that the fence is somewhat higher than most frontage fences and walls in the immediate area. However, it is politely set back from the road behind an existing wall and hedgerow, to the extent that it hardly draws the eye and is largely concealed from view by the existing planting. As it protrudes only slightly above the hedgerow and indeed is broadly consistent with the height of the latter, which wraps around the remaining frontage to the property, it does not appear discordant.
9. I am therefore satisfied in relation to the second main issue that the fence integrates comfortably with the prevailing character and appearance of the area. I thus find no conflict with Policies H6 or HD14 of the LP or the objectives of the Framework, which seek to secure a high standard of design which maintains or improves the existing character of the area.

ALISON ROLAND

INSPECTOR