
Appeal Decision

Site visit made on 19 December 2016

by Chris Couper BA (Hons) DiP TP MRTPI

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

Decision date: 10 January 2017

Appeal Ref: APP/N1920/D/16/3160367

'Heritable Land' 16 Williams Way, Radlett WD7 7EZ

- 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 John Kinread against the decision of Hertsmere Borough Council.
 - The application ref: 16/1485/HSE, dated 28 July 2016, was refused by notice dated 20 September 2016.
 - The development proposed is the installation of sliding electric gates.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The decision notice refers to policy SADM31 of the Hertsmere Site Allocations and Development Management Policies Plan (Submission version) 2015. I understand that the Plan was adopted in November 2016, after the decision on this application was made. Consequently, both principal parties were given the opportunity to comment on the adopted policy prior to me issuing my decision. In any event, although the policy has been renumbered as policy SADM30 in the published document, there are no substantive changes between it and the earlier version. I refer to it as policy SADM30 in this decision.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host property and the area.

Reasons

Character and appearance

4. No. 16 Williams Way is prominently located opposite the junction with Craigweil Avenue, in an area described by residents and Aldenham Parish Council as the Newberries Estate. The dwelling was granted planning permission recently and I understand that, in the interests of the character and appearance of the area, permitted development rights for fences, gates and walls were removed. Although the appellant states that the property previously had gates, I have very limited details or supporting evidence.

5. The dwellings in the surrounding area are all, or mainly, detached, and on large, landscaped plots. On my site visit I observed that the dwellings on Williams Way are set well back from the carriageway, and that their front boundary treatment typically comprises low and unobtrusive brick walls, or hedgerows, broken by driveway accesses which are overwhelmingly open without visible gates. Consequently the streetscene has a spacious, open and landscaped ambiance.
6. The appellant refers to existing gates at no. 42 Williams Way. I did not observe any there on my visit, although there were post and rail timber gates some way from this site at no. 45. Although the appellant has supplied photographs of various gates in Radlett, it is not clear where those were taken, and they are not typical of Williams Way.
7. The submitted plan shows that the two sets of sliding gates would be set back from the low level brick wall with piers which runs along much of the site's frontage. Although the streetscene view depicts the gates as railings which would allow views through to the forecourt and the dwelling beyond, that is at odds with their description in the application form as having oak infills. The Council calculates their height as 1.5m.
8. In my view, a significant and distinguishing component of this area's character is the properties' low level or landscaped front boundaries, with open driveways, which often afford views from the street to the gardens or forecourts, and the dwellings beyond. Whilst I have limited details of the proposed gates, which the appellant states would be of a good quality, from the information before me their height, and their position would significantly diminish that prevailing character, particularly if they were to have oak infills. Notwithstanding their set back, the harm that that would cause would be visible in the Williams Way streetscene, as well as when approaching the site from Craigweil Avenue.
9. The Council's Planning and Design Guide SPD 2013 (Part D) states at 10.3.2 (d) that in areas dominated by green front and side boundary treatments, new developments should reflect this in their design and should not use hard features such as railings, walls and fences to define boundaries. Although it goes on at (e) to refer to the sense of segregation that high security gates can create, as I understand it from the Council's decision and its delegated report an increased fear and perception of crime is not part of its concern here.
10. At 7.k the Council's Planning and Design Guide SPD 2006 (Part E) sets out that where gates are exceptionally granted due to the particular circumstances of an individual property they should, amongst other matters, be well-screened and not dominate the streetscene. I am not satisfied that there are any such particular circumstances here, and for the reasons above the scheme would conflict with the guidance in those two documents.
11. Amongst other things policy SADM30 states that development will be permitted provided it recognises and complements the particular local character of the area. That is consistent with the National Planning Policy Framework's requirements at section 7 to reinforce local distinctiveness and respond to local character, and with policy CS22 of the Hertsmere Core Strategy 2013 which states that development should take advantage of the opportunities to improve the character and quality of an area.

12. For the reasons above the scheme would not accord with those policies, or with the similar advice in the Design section of the Planning Practice Guidance. Given the significant harm that it would cause to the character and appearance of the host property and the area, and having regard to all other matters raised, the appeal is dismissed.

Chris Couper

INSPECTOR