

Appeal Decision

Site visit made on 4 April 2017

by J D Westbrook BSc(Hons) MSc MRTPI

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

Decision date: 26 April 2017

Appeal Ref: APP/N1920/D/17/3169343

5 Delrow Cottages, Pegmire Lane, Aldenham, Watford, WD25 8DR

- 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 and Mrs G Christie against the decision of Hertsmere Borough Council.
 - The application Ref 16/1834/HSE, dated 19 September 2016, was refused by notice dated 5 December 2016.
 - The development proposed is described as the retention of a front boundary wall/fence.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant development plan policies.
 - The effect on the openness of the Green Belt.
 - The effect of the proposal on the character and appearance of the Patchetts Green and Delrow Conservation Area (CA).

Reasons

3. No 5 Delrow Cottages is an end-terraced house situated on the southern side of Pegmire Lane. Delrow Cottages is a terrace of 5 dwellings that faces onto open countryside and marks the effective end of the small residential group that stretches along Pegmire Lane from its junction with Hillfield Lane to the west. Nos 1-5 Delrow Cottages are apparently C19th buildings, constructed of brown stock brick and clay tiles with a relatively unified appearance. All have a brick frontage wall of similar bricks to the houses, although they vary slightly in height and coping detail. There is an access lane to the side of No 5 such that the boundary wall wraps around the front garden to the side wall of the house.
 4. The proposed fence at No 5 is already in place. It sits on top of a low brick wall, between brick piers, and extends around all three sides of the front garden. The brick piers reach a height of around 1.2 metres. The close boarded fence is approximately 1 metre high and has a curved trellis on top, such that the
-

overall height from the ground is around 1.8 – 1.9 metres. At the time of my visit, the gaps between the fence units, on top of the brick piers, were filled with flower pots and decorative urns.

Green Belt and openness

5. Paragraph 90 of the National Planning Policy Framework (NPPF) indicates that engineering operations need not be inappropriate in Green Belt provided they preserve the openness of the Green Belt. In this case, the fence wraps around the entire front garden of the dwelling to a height of up to 1.9 metres, creating an enclosed space. One characteristic feature of the dwellings along Pegmire Lane is the openness of the front gardens, with low fences or walls forming the front boundary, or with no front boundary at all. The appellants note the existence of two houses along the lane where there are tall trees forming the front boundary. However, trees and hedges are also characteristic features of the surrounding rural environment, delimiting fields and road boundaries.
6. On the basis of the above, I find that the fence is harmful to the openness of the Green Belt, albeit to a small degree, and that it is therefore inappropriate development within the Green Belt.

Character and appearance of the Conservation Area

7. The houses along Pegmire Lane are of mixed design, although the dwellings that comprise Delrow Cottages have a largely unified appearance, utilising the same brick and tile construction, and with low brick walls to the front boundaries. No 5 is the most prominent of the houses in the row when approaching along Pegmire Lane from the west, and the fence to the front and eastern side boundaries are clearly visible in the street scene. They appear incongruous in the context of the otherwise unified character of the row, and also out of scale with the existing low wall and pillars. In the light of the above, I find that the fence is detrimental to the character and appearance of Delrow Cottages, and that it would therefore fail to preserve or enhance the character or appearance of the CA.

Other Matters

8. The appellants contend that, in the absence of the access lane to the side, part of the fence might be permitted development, and also that the fence is required to provide privacy to the front garden. However, the fence wraps around all three sides of the front garden and creates an enclosed space, harmful to the openness of the Green Belt and detrimental to the prevailing character and appearance of Delrow Cottages. Moreover, whilst I appreciate the desire for privacy, I am not convinced that the fence is the only means of providing that privacy. It is inappropriate in the context of its location.
9. Concern has also been expressed regarding the impact of the fence on visibility for vehicles leaving the access lane alongside the appeal property and joining Pegmire Lane. The fence has some impact on visibility and is likely to make turning onto Pegmire Lane more dangerous. However, the access lane adjacent to No 5 is unlikely to be used by many vehicles, and Pegmire Lane itself is not a heavily used road, so I do not consider, in itself, that any harm resulting would be sufficient to warrant dismissing this appeal. It does, however, add to my concerns about the detrimental impacts of the fence on its surroundings.

Conclusion

10. In conclusion, I find that the considerations put forward by the appellant do not clearly outweigh the harm to the Green Belt that would be caused by the proposal, and that there are, therefore, no very special circumstances to justify this inappropriate development. In addition, there is further harm caused by the development to the character and appearance of the CA. In the light of these factors, I find that the fence conflicts with policy guidance in the NPPF. It also conflicts with Policy SADM26 of the Council's Site Allocations and Development Management Policies Plan (SADM), which lays down principles for development in the Green Belt, including principles relating to the scale of development and the materials used. Finally, it conflicts with Policy SADM30 of the SADM, which requires development to respect, enhance or improve the visual amenity of the area by virtue of its scale and height.

J D Westbrook

INSPECTOR