



Appeal Decision

Site visit made on 1 August 2019

by R Sabu BA(Hons) MA BArch PgDip ARB RIBA

an Inspector appointed by the Secretary of State

Decision date: Friday, 16 August 2019

Appeal Ref: APP/N1920/W/19/3230307

88 Ripon Way, Borehamwood WD6 2JA

- 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 Mrs Joanna Kos against the decision of Hertsmere Borough Council.
 - The application Ref 19/0261/HSE, dated 21 February 2019, was refused by notice dated 22 May 2019.
 - The development proposed is boundary treatment to include pillars and electric gate.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The original application form is not dated, therefore I have taken the date of the application above from the appeal form. While the appeal form states the appeal name as Mr Norbert Kos, the appellant has confirmed that the correct name is Mrs Joanna Kos as stated on the application form. The appeal therefore proceeds on this basis.
3. While the description on the application form states the proposed gate as being metal, the evidence indicates that the appellant agreed to a change in the description. I have therefore used the Council's description in the decision notice.
4. The appellant confirmed that their statement of case is set out in section E of the appeal form. I have therefore assessed the appeal on this basis.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

6. The site lies on a residential road with predominantly terraced dwellings that are set back from the pavement by gardens and driveways. Many of the nearby properties have open driveways with no boundary treatment to the front, while other properties have low level walls or hedges of varying height. Consequently, the area has a green and spacious feel. While the appeal site currently has a wooden fence to the front boundary, it only extends across part of the width of the property such that the area retains a sense of spaciousness.

7. The proposal would introduce a wooden fence that would be over a metre in height. While the proposed height would be slightly less than the height of the existing fence, it would still be substantially taller than other boundary fences and walls in the area and would extend across the full width of the property. Therefore, given its height, width and prominence, the proposed fence would form an obtrusive and incongruous feature in the street scene which would be at odds with the spacious character of the area.
8. While I note that there are a number of taller hedges in the area, they provide a pleasant green aspect to the character of the area and could be trimmed to different heights. The proposed fence on the other hand, while wooden, would be a permanent feature in the street scene that would have an adverse effect on the green and spacious character and appearance of the area. I also note the fence at No 41 Ripon Way which is of varying height. However, from the evidence before me and my observations during the site visit, fences of this height at the front boundary of residential properties in the area are not common such that they do not form part of the character and appearance of the area. In any event, each case must be determined on its individual merits.
9. Consequently, the proposed development would harm the character and appearance of the area. Therefore, it would conflict with Policies SP1 and CS22 of the Hertsmere Local Plan Development Plan Document Core Strategy Adopted January 2013(CS) which requires developments to be of high-quality design and appropriate in scale, appearance and function to the local context and to improve the character and quality of an area. It would also conflict with Policy SADM30 of the Site Allocations and Development Management Policies Plan Adopted November 2016 which seeks development that recognises and complements the particular local character of the area in which it is located. The proposal would also conflict with the National Planning Policy Framework in this regard.
10. In addition, the proposal would conflict with Supplementary Planning Document Planning and Design Guide Part E: Guidelines for Residential Extensions and Alterations November 2006 which requires that the design of front fences should complement the existing pattern of boundary treatment.
11. I note Part D of the Supplementary Planning Document Planning and Design Guide Draft for Executive September 2016 cited in the reasons for refusal which sets out guidelines for high quality and sustainable development. However, since there is no certainty that this document will be not adopted I attribute it limited weight only.

Other Matters

12. I acknowledge the appellant's desire to provide a safe environment for children to play. I also note that the proposal would not impact on parking provision or highway safety. However, these points do not alter my earlier findings based on making decisions in the wider public interest.

Conclusion

13. For the reasons given above the appeal is dismissed.

R Sabu

INSPECTOR