
Appeal Decision

Site visit made on 14 July 2020

by Stephen Wilkinson BA BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21/07/2020

Appeal Ref: APP/N1920/D/20/3248209

2 Heath Drive, Potters Bar, EN6 1EH

- 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 Prakesh Desai against the decision of Hertsmere Borough Council.
 - The application Ref 19/1903/HSE, dated 29 November 2019, was refused by notice dated 14 January 2020.
 - The development proposed is new railing, gate and letter box to existing front boundary wall.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appeal proposal has already been developed. The submitted plans reflect the boundary treatment and gates which have already been erected.

Main Issue

3. The effect of the development proposed on the character or appearance of the area, with particular regard to the Darkes Lane (West) Conservation Area (CA).

Reasons

4. The CA is characterised by large detached residential properties set in generous curtilages. Frontages are characterised either open to gardens or include dwarf walls and or hedges. This form of boundary treatment is an important feature of the street scene which contributes to the open character of the CA.
5. The appeal site has a long frontage with 2 pairs of sliding gates which at their highest point are around 1.6m height separated by lengths of wall topped by metal railings with brick piers with a resultant height of about 1.3m.
6. In the context of the street scene the proposal strikes a discordant note. This is caused by its height, design and materials which do not adequately respond to the established character or appearance of the CA. Whilst the appellant compares the new structure to that which previously existed at the site it is not possible for me to make full comment on this given that this has already been redeveloped. Furthermore, whilst other examples of similar front boundary treatment to the scheme are cited by the appellant as precedents, I consider that these are the exception to the established form of boundary treatment

found throughout the CA. The use of traditional materials in the new wall does not overcome my concerns about its adverse impacts.

7. Accordingly, I conclude that the proposal would be harmful to the character or appearance of the area with particular regard to the Darkes Lane (West) CA. The scheme, therefore conflicts with policies CS14 of the Core Strategy (2013) and SADM29 of the Site Allocations and Development Management Policies. These policies together, seek to ensure that development should safeguard or enhance designated heritage assets, respect local character and ensure that development in conservation areas will only be permitted where it will preserve or enhance its character or appearance.
8. For the purpose of paragraph 196 of the National Planning Policy Framework 2019, the Framework, the proposals would result in less than substantial harm to the significance of a designated heritage asset, that is the CA. I acknowledge that whilst the appeal scheme results in a front boundary treatment designed to fully address the security concerns of the appellant, this does not amount to a public benefit that would outweigh the harm that would occur to the character or appearance of the CA.
9. Therefore, whilst the proposal may comply with some elements of local and national policies, it conflicts with the development plan and the Framework overall for the reasons set out above.
10. For the reasons given above, I conclude that the appeal should be dismissed.

Stephen Wilkinson

INSPECTOR