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# Appeal Decision

Site Visit made on 3 August 2021 by Emma Grierson BSc (Hons) MSc MRPTI

## Decision by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 August 2021

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### Appeal Ref: APP/N1920/W/21/3271839

#### Dayson House, Warwick Road, Borehamwood, WD6 1US

- 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 B Duffy (Rye Street Group) against the decision of Hertsmere Borough Council.
  - The application Ref 21/0033/FUL, dated 6 January 2021, was refused by notice dated 12 March 2021.
  - The development proposed is for the existing privet hedge and fencing to be removed and replaced with 2.4m high palisade fence with sliding gates to the existing entrance.
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### Decision

1. The appeal is allowed and planning permission is granted for the existing privet hedge and fencing to be removed and replaced with 2.4m high palisade fence with sliding gates to the existing entrance at Dayson House, Warwick Road, Borehamwood, WD6 1US in accordance with the terms of the application, Ref 21/0033/FUL, dated 6 January 2021, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 14241-S002-1st and 14241-P002-1st.

### Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

### Preliminary Matters

3. The Government published on 20 July 2021 a revised version of the National Planning Policy Framework. Accordingly, and in light of the reference made to the previous iteration of the Framework within the submitted evidence, the parties have been provided with a further opportunity to make submissions in respect of the publication. The comments which have been received have been taken into account in my consideration of this case.

### Main Issue

4. The main issue in the appeal is the effect of the proposed development on the character and appearance of the surrounding area.

## **Reasons for the Recommendation**

5. The appeal site is occupied by a commercial building on the corner of Warwick Road and Chester Road, and is within an industrial area. The current boundaries adjacent to the road are made up of a low level hedge, a brick wall and palisade fencing. The proposal would replace these with a taller palisade fence along with a pedestrian access gate and sliding gate for vehicle access.
6. The proposed fencing and gates would be relatively tall and harsher in appearance than the existing boundary treatment and would be located on a prominent corner plot. However due to the location of the site within an industrial area, where similar fences are commonplace, the proposed fence and gates would not be incongruous or dominant within the streetscene.
7. Although the removal of the hedge would result in the loss of a green feature on the site, due to the limited size of it at present, it does not provide a significant contribution to the character and appearance of the area. Therefore, its loss would not be overly harmful to the appearance of the streetscene and would be somewhat mitigated by the presence of other green features in the area which have greater prominence.
8. It is noted that paragraph 131 of the National Planning Policy Framework (the 'Framework') highlights the importance of trees to the character and quality of urban environments. However, due to the limited value of the existing hedge, the proposal would not be contrary to the objectives of the Framework.
9. Consequently, due to the reasons above, the proposal would not result in harm to the character or appearance of the area and would accord with Policy CS22 of the Core Strategy (2013) and Policy SADM30 of the Site Allocations and Development Management Policies Plan (2016). These policies require new development to be of high quality design which respects the visual amenity of the area by virtue of its scale, mass, bulk, height and urban form.
10. The proposal would also accord with the Part D of the Planning and Design Guide Supplementary Planning Document (2016) which encourages boundaries that defines ownership and provides security, particularly to the sides and rear, without dominating or closing off the street scene.

## **Conditions**

11. In addition to the standard time period for commencement of the development, I have attached a condition requiring the development to accord with the approved plans, as this provides certainty and precision.

## **Conclusion and Recommendation**

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

*Emma Grierson*

APPEAL PLANNING OFFICER

**Inspector's Decision**

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

*RC Kirby*

INSPECTOR