
Appeal Decision

Site visit made on 23 September 2021

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 October 2021.

Appeal Ref: APP/B1930/D/21/3273709

1 Gilpin Green, Harpenden AL5 5NP

- 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 Ms B Winter against the decision of St Albans City & District Council.
 - The application Ref 5/20/2478, dated 22 October 2020, was refused by notice dated 5 March 2021.
 - The development is fencing with trellis on top, part new infill fencing and trellis to front boundary.
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Decision

1. The appeal is allowed and planning permission is granted for fencing with trellis on top, part new infill fencing and trellis to front boundary at 1 Gilpin Green, Harpenden AL5 5NP in accordance with the terms of the application, Ref 5/20/2478, dated 22 October 2020, and the plans submitted with it (MBM/CR/1, MBM/CR/2, site location and block plans).

Preliminary Matters

2. At my site visit, I saw that the development has been completed and I note that the application has been submitted retrospectively. I have dealt with the appeal on this basis, although I have deleted the wording "retention of" from the description as it is not an act of development.

Main Issue

3. The main issue is the effect of the proposal on highway safety.

Reasons

4. The appeal site relates to a maisonette with off-street parking spaces to the front, sited on Gilpin Green. The surrounding area is predominantly residential in nature. The proposal comprises closeboard fence panels with trellis sections above, set between concrete fence posts. The development runs along the front boundary with the public highway and to one side of the drive, enclosing the front garden area of the maisonette.
 5. I saw at my site visit that local roads are quiet and well maintained. Manoeuvres across the public footways into and out of residential accesses are a common feature along both Gilpin Green and Cowper Road, although these are approached with caution.
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6. The Council states that appropriate pedestrian visibility splays would not be achieved at the site's entrance with the fencing (the development is only on one side of the drive, visibility of the access from the east is unobstructed). I acknowledge that a vehicle emerging from the site with the driver having restricted views of footway users is an obvious safety hazard.
 7. However, that prospect would be little different to the current accesses to myriad properties in the surrounds. Given the infrequency and short duration of such manoeuvres, the low speeds involved and the relatively wide footway and grass verge outside the appeal property to provide refuge, I consider that the safety of pedestrians would not be unduly compromised in this particular instance. Furthermore, there is no evidence that any incidents involving vehicles and pedestrians have been recently reported in the locale.
 8. I therefore conclude that the scheme does not cause an adverse effect on highway safety. It accords with Policy 34 of the St Albans District Local Plan Review 1994, which provides for highway considerations in development control. The proposal is also consistent with the advice the National Planning Policy Framework, which seeks to ensure that development does not have an unacceptable impact on highway safety.

Conditions

9. I have considered the imposition of conditions in light of advice in Planning Policy Guidance and the Framework. The development is complete and therefore the standard time limit and plans condition are no longer necessary. I am satisfied that no conditions are required.

Conclusion

10. Based on the foregoing, I conclude that the appeal should be allowed.

C Hall

INSPECTOR