



Appeal Decision

Site Visit made on 19 October 2021

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd November 2021

Appeal Ref: APP/A1910/W/21/3273281

Land off Pipers Hill & Church Meadow, Great Gaddesden, Hemel Hempstead HP1 3BU

- 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 & Ms Bishop & Hutchins against the decision of Dacorum Borough Council.
 - The application Ref 4/02109/19/FUL, dated 2 September 2019, was refused by notice dated 20 October 2020.
 - The development proposed is Site fencing: altering fencing and alteration; and completion of hardstanding.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. A fence has been installed at the appeal site. However, the submitted plans show that the height of a section of this would be reduced in height. I have therefore determined the appeal with reference to the scheme shown on the submitted plans.

Main Issue

3. The main issue in this appeal is the effect of the fence upon the character and appearance of the surrounding area.

Reasons

4. The appeal site is located on the edge of the settlement. The character of the appeal site, and the surrounding area can be summarised as featuring traditionally designed structures, including boundary treatments, and open areas. This means that the settlement harmonises with its rural surroundings.
5. The fence that is the subject of this appeal has been constructed to a significant height and of a weldmesh type. In consequence, the fence would have a design and form that would conflict with the traditional designs that are present elsewhere in the vicinity. In addition, whilst the fence would have views through it, its massing would be particularly perceptible. Therefore, the development is incongruous.
6. This is a concern given that the development is prominently located on account of the topography of the surrounding area and the proximity of the fence to the road. In particular, the fence is visible from the junction of Piper's Hill and Church Meadow.

7. Furthermore, the fence has a significant length so is also visible from a significant number of dwellings in Church Meadow. In result, the development is experienced by a notable number of people, which renders it strident.
8. The development has enclosed the appeal site to a substantial degree. This conflicts with the presence of more open areas of land that is a feature of the surrounding area. In addition, other boundary treatments typically are of limited proportions. In result, the development of a long fence with a notable height conflicts with the generally open and more rural surroundings of the appeal site and is therefore incongruous.
9. The proposed development is adjacent to an existing wall. However, the proposed development is constructed of a significantly different materials palette and therefore has a greater effect on the character and appearance of the surrounding area.
10. The appeal site is near to some other fencing. However, I have not been provided with the full information regarding their planning circumstances, which lessens the weight that I can attribute to these. Nonetheless, I note that these are less prominent than the appeal scheme before me. As they have much shorter lengths and differing proportions, they do not have the same level of adverse effects.
11. The submitted plans show that the fence would be reduced in height for a section of its length. However, this length would represent a relatively short proportion of the development and would remain constructed from an incongruous design. Therefore, whilst this reduction could potentially be secured by a condition, it would not overcome my concerns.
12. I understand that the appeal site has been the venue for some anti-social behaviour. I have not been provided with full information regarding the frequency of events that have occurred. Moreover, I have not been provided with an assessment of other boundary treatments that have been considered and the reasons why they have been discounted. In consequence, I am unable to conclude that the scheme before me represents the only means of securing the site.
13. I therefore conclude that the development would have an adverse effect upon the character and appearance of the surrounding area. The development, in this regard, conflicts with Policies CS11 and CS12 of the Dacorum Core Strategy (2013). Amongst other matters, these seek to ensure that developments preserve attractive streetscapes; and integrate with the streetscape character.

Other Matters

14. The planning application was originally reported to the Council's Planning Committee with a recommendation to approve the development. However, in considering this appeal, I have been directed towards relevant development plan policies that have been breached. As harm emanates from these breaches, I therefore do not find that the original recommendation to the Council's Planning Committee overcomes my findings in respect of the main issue.
15. The evidence before me is not indicative that the proposed development would have an adverse effect upon the character and appearance of the Great Gaddesden Conservation Area. Whilst this is a matter of note, it is only one of

the matters that must be assessed. It therefore does not outweigh my previous findings.

Conclusion

16. The proposal would therefore have an adverse effect upon the character and appearance of the surrounding area. The scheme would therefore conflict with the development plan taken as a whole. There are no material considerations, including the National Planning Policy Framework, that indicate the decision should be made other than in accordance with the development plan. Therefore, for the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR