



Appeal Decision

Site visit made on 1 November 2021

by Chris Couper BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 November 2021.

Appeal Ref: APP/P1940/D/21/3278429

2 The Mount, Rickmansworth WD3 4DW

- 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 and Mrs Khalo against the decision of Three Rivers District Council.
 - The application Ref 21/0238/FUL, dated 3 February 2021, was refused by notice dated 14 April 2021.
 - The development proposed is gates and railings.
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Decision

1. The appeal is allowed and planning permission is granted for gates and railings at 2 The Mount, Rickmansworth WD3 4DW in accordance with the terms of the application, Ref 21/0238/FUL, dated 3 February 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: 1351-P2-1A and 1351-P2-2B.

Procedural Matter

2. Since the planning application was determined, the Chorleywood Neighbourhood Plan 2020 – 2035 (2021) ('CNP') has been adopted. However, its Policy 2 is unchanged compared to Policy 2 in the August 2020 Referendum Version which was referred to in the Council's decision.

Main Issue

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

Reasons

4. The properties along this part of The Mount, and on nearby Winchfield Way, are typically substantial in scale, and set back from the road on large plots. I observed that many have low brick walls along the highway boundary. However some, such as at 2 Winchfield Way and 12, 14 and 24 The Mount, have railings, whilst others have brick walls or open frontages, or are predominantly bordered by hedgerows. Consequently, although the area has a generally spacious and verdant character, there is significant variety in terms of front boundary treatments.

5. The proposed boundary here would comprise a replacement stepped low brick wall, with railings above, together with an access gate between brick piers. Although those features would extend across the property's long highway frontage, given that, according to the submitted drawings, their height would range approximately between a fairly modest 1.4 to 1.6 metres, and that the metal railings would allow views through, they would not significantly diminish the area's openness.
6. Additionally, given that there is no prevailing form of front boundary treatment in the area, neither these features, nor the proposed hedgerow behind them, would appear out of place in the streetscene.
7. Amongst other things, and in broad terms, Policies CP1 and CP12 of the Three Rivers Core Strategy 2011, Policy DM1 and Appendix 2 of the Three Rivers Development Management Policies Local Development Document 2013, and CNP Policy 2, require development to have regard to the local context and local distinctiveness, and to protect and enhance the environment, including the streetscene.
8. For the above reasons, the proposal would not harm the character and appearance of the area, and it would not conflict with those policies.
9. Turning to the matter of conditions, I have imposed the standard time limit condition and, in the interests of certainty, a condition requiring that the development be carried out in accordance with the approved plans.
10. With regards the Council's third suggested condition, I have no evidence to indicate that there is a particular highway safety issue on this quiet residential street, and I do not consider that the two existing access points harm the area's amenity. Additionally, as the southernmost access is already in place and in use, no new access would be brought into use as a result of this scheme. Consequently, I am not persuaded that the suggested condition, as worded, is suitably precise and enforceable, or necessary.
11. The Council has also suggested a condition requiring that the gates or other means of obstruction shall be set back at least 5.5 metres from the edge of the highway, and hung to open inwards. However, as what is depicted on the drawings is an electric sliding gate, that is also unnecessary.
12. For the above reasons, I conclude that the scheme would not harm the character and appearance of the area. Consequently, having regard to all other matters raised, the appeal is allowed.

Chris Couper

INSPECTOR