
Appeal Decision

Site visit made on 21 March 2022

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th April 2022

Appeal Ref: APP/A1910/D/21/3287227

Moorings, 13 Anglefield Road, Berkhamsted HP4 3JA

- 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 Alex Verbeek against the decision of Dacorum Borough Council.
 - The application Ref 21/01961/FHA, dated 12 May 2021, was refused by notice dated 2 November 2021.
 - The development is a retrospective application for replacement fence and gates.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The proposed fence and gates are in place, and these appear to have been erected broadly in accordance with the submitted plan.

Main issue

3. The Council appears to find the rendered piers placed on either side of the gates acceptable. From the submitted evidence, I have no reason to disagree with that finding. Consequently, the main issue is the effect of the fence and gates on the character and appearance of the local area.

Reasons

4. Moorings is a large, detached dwelling that addresses Anglefield Road along which buildings are generally substantial, detached and set back from the road behind gardens and driveways. For the most part, the highway frontages of existing properties along this road are marked by hedgerows of varying height, open driveways, fences, walls and some gates, many of which are low level. These features, coupled with the gaps between buildings and the grass verges on each side of the highway, give Anglefield Road a spacious, informal and verdant character, which is locally distinctive. Even where boundary hedgerows are tall features, they are nevertheless visually soft boundaries and still contribute positively to the overall character and qualities of the local area.
5. The solid form and considerable length of the timber fence and the solidity of the electronic timber gates, coupled with their slightly elevated position to the highway, means that they are significant and prominent features when seen from Anglefield Road. From this highway, the fence and gates draw the eye as a rather stark, solid and formal barriers. As a result, they have an overly

imposing presence in the street scene in marked contrast with the more low-key and informal appearance of the front boundary treatments prevailing along Anglefield Road. For these reasons, the fence and gates are obtrusive and have a deleterious effect on the character and appearance of the local area.

6. I recognise that the fence and gates will weather over time and that will subdue their general appearance when seen from the road. However, that process will take some time to take full effect and it would not overcome the significant harm caused in the interim. I also saw that existing planting projects well above the fence that is evident in the street scene. However, the position of this greenery at the back of the fence limits its ability to visually soften the structure or to provide effective screening from the road. As such, I am unable to share the appellant's opinion that the landscaped line to the new boundary and the retention of the grass verge maintains the prevailing soft and verdant character of the street scene.
7. The fence is in the same position and no taller than a blue/grey timber fence with punch hole detailing that was previously in place for many years. The previous fence was recently removed following damage caused during the construction of the new driveway. However, from the photographs provided, the solid form and considerable length of the previous fence, while less conspicuous than the appeal fence, was also at odds with the prevailing character of the highway frontages of properties along Anglefield Road. To my mind, additional harm cannot be justified on the basis that some harm previously existed.
8. Photographs have also been provided of the push gates that were previously in place across one of the entrances to the site. Compared to its previous counterpart, the appeal gates are taller and have a solid form of construction. Despite their position set back to the road, which reduces the visibility in oblique views along the street, the appeal gates present an uncompromisingly hard barrier, which is pronounced when seen from in front of the site.
9. There are examples of close-boarded fencing and solid gates that mark the boundaries to some properties along Anglefield Road including those to which the main parties have referred. From what I saw, these cases are not a predominant characteristic of the front boundary treatment along that part of Anglefield Road to which the site belongs. Furthermore, in some instances, the examples exemplify the harm to which I have referred. Consequently, these cases do not lend support to the appeal.
10. My attention has also been drawn to recent decisions on application and at appeal for gates and boundary fencing at other properties, with some background details provided. From the limited information given, I am unable to conclude that the circumstances raised in the cases cited are the same or very similar to those of the development before me. To reiterate, it is the uneasy relationship between the fence and gates with the prevailing informal character of Anglefield Road that is objectionable. In any event, each development should be assessed on its own merits, which I have done.
11. The Council's Supplementary Planning Guidance, *BCA12: Shootersway*, (SPG) defines the character of the area to which the site belongs as a large and low-density residential area featuring mainly detached houses in a semi-rural setting that is dominated by informal heavy landscaping. The SPG explains that the approach is to maintain the defined character. It strongly supports the

enclosure of front areas albeit by planting. For the reasons given, the appeal scheme would conflict with the approach put forward in the SPG and one of its development principles.

12. Against that background, I conclude that the development is out of keeping with the character and appearance of the local area. As such, it is contrary to Policy CS12 of the Council's Core Strategy 2006–2031, which seeks to ensure that development integrates with the streetscape character. It is also contrary to the SPG and the National Planning Policy Framework, which aim to make sure that development is sympathetic to local character and adds to the overall quality of the area.
13. That the fence and gates have enhanced a sense of security and privacy for the occupiers of Moorings is not in doubt. Because the appeal property is orientated 'side on' to the road, the boundary treatment of the site to the road physically encloses and visually screens the driveway, gardens and part of the main house from public view. However, these matters do not outweigh the significant harm that I have identified.
14. The Officer's report recommends that planning permission be granted. No objection is raised on highway safety, parking or residential amenity grounds. Local residents have not objected to the scheme. Nevertheless, for the reasons set out above, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR