



Appeal Decision

Site visit made on 10 June 2025

by **S Simms BSc (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 2nd September 2025

Appeal Ref: APP/B1930/W/25/3363209

Open Space Adjacent 1 Windridge Close, St Albans, Hertfordshire AL3 4JP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ukings Property Limited against the decision of St Albans City Council.
 - The application ref. is 5/24/1389.
 - The development proposed is planting hedge in the front of 2-metre fence.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Whilst planting a hedge is not development, the erection of a fence is, and I have dealt with the appeal on the basis that the hedge is offered as landscape and so could be the subject of a condition were I to allow the appeal.

Main Issues

3. The main issues in this appeal are the effect of the development on:
 - the character and appearance of the area
 - highway safety.

Reasons

Character and appearance

4. The site is an area of grass at the junction of Windridge Close and Westfields, two streets within a 1970s housing development on a layout characterised by similar, albeit unfenced, areas of open grass at junctions and alongside roads and paths, which lend an open, spacious feel to the area. Some plots within the area back on to open space and these rear gardens are often bounded by taller fences.
5. The site is bounded by 1 Windridge Close with a cypress hedge to the front garden, garage wall to the side and a roughly 2.4m-high fence to the rear garden. Apart from a small section with further open space adjacent to Westfields, the remainder of the boundary is with the highway, along which there is a roughly metre-high concrete post and timber panel fence, with several panels missing. The grass was somewhat overgrown at the time of my site visit.
6. The proposal would remove the existing fence and erect a 2m-high fence about 0.7m in from the boundary with a pedestrian gate near to the front of no.1. A fast-growing hedge would be planted between the fence and the boundary.

7. Whereas the existing fence somewhat disrupts the site's openness, the proposal would obscure any ground-level view of the grass and of the streets beyond it from residents or passers-by and result in the effective loss of one of the areas of open space characteristic of the wider area. Whilst both the fence and the hedge would be features typical of the wider area, their location and effect would be harmful.
8. Whilst I acknowledge some green space would remain at the junction, it would be of a lesser scale and could not perform the same function. I also acknowledge that the site contains no facilities, but its open and green nature themselves contribute to the quality of the environment in the area. Similarly, nearby parks have different functions to that of the subject site and would not fully substitute for its loss, which would harm the character and appearance of the area.
9. This would be contrary to Policy 75 (Green Space within Settlements) of the St Albans District Local Plan Review 1994, which seeks to ensure the adequacy of open space and to protect the character of urban green space and the environment of the surrounding area. The wording of this policy is sufficiently broad that I am content that it applies to all open space, regardless of ownership, function or any specific designation. I attach significant weight to this policy conflict.

Highway safety

10. The proposed fence would be of a height such that it would restrict drivers' views, particularly of vehicles emerging from Windridge Close or approaching the junction from the south along Westfields. The hedge would have a similar effect, but this would tend to increase with growth.
11. The local highway authority has objected to the proposed development on the basis that the hedge would grow outwards from the site due to the fence behind and that this could obstruct the footway and affect inter-vehicle visibility at the junction.
12. Whilst landowners are required to prevent hedges from obstructing the highway, the facts that the site has no occupier, was somewhat overgrown at the time of my site visit and no management plan has been submitted, suggests that the concerns of the local highway authority as to future obstruction may be valid.
13. Furthermore, whilst the appellant states that the hedge would grow upwards, no horticultural evidence has been provided to counter the objection.
14. Consequently, the proposed development would harm highway safety, contrary to Policy 34 (Highways Considerations in Development Control) of the St Albans District Local Plan Review 1994, which requires adequate visibility and provision for pedestrians. I attach significant weight to this policy conflict.

Other Matters

15. I have no evidence of litter or other misuse of the site. Furthermore, as it has no occupier, the benefits of securing privacy are limited. Consequently, I attach only modest weight to the need to secure the site or provide privacy.

Conclusion

16. For the reasons given above the appeal should be dismissed.

S Simms

INSPECTOR