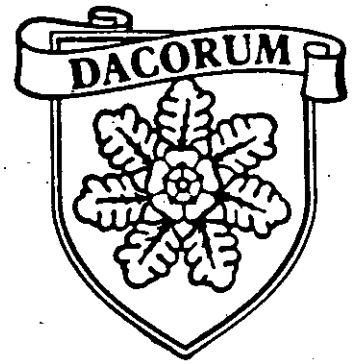


TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL



Application Ref No. 4/0115/93

P Chan  
The Brackens  
Water End Road  
Potten End, Herts  
HP4 2SH

D J Harnett Associates  
11 Dukes Ride  
Leighton Buzzard  
Beds  
LU7 7JS

DEVELOPMENT ADDRESS AND DESCRIPTION  
=====

The Brackens, Water End Road, Potten End,, Herts

NEW FRONT BOUNDARY FENCE

Your application for *full planning permission (householder)* dated 27.01.1993 and received on 29.01.1993 has been **REFUSED**, for the reasons set out on the attached sheet(s).

Director of Planning

Date of Decision: 01.04.1993

(ENC Reasons and Notes)

REASONS FOR REFUSAL  
OF APPLICATION: 4/0115/93

Date of Decision: 01.04.1993



The proposed development is inappropriate in this sensitive rural area within the Metropolitan Green Belt and causes harm to the character and appearance of the area and to the visual amenity of the Green Belt by virtue of its height, materials and siting.



# The Planning Inspectorate

An Executive Agency in the Department of the Environment and the Welsh Office

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*1) DW*  
*2) AM*  
*3) CB*

PLANNING DEPARTMENT				Dacorum Borough Council	
D J Harnett Associates		Ack.		Your Ref:	
11 Dukes Ride		3.C.		DH/93/102	
Leighton Buzzard		Admin.		Our Ref:	
BEDS LU7 9JS				T/APP/A1910/A/93/226427/P5	
Received			30 SEP 1993		
Comments			Date: 29 SEP 1993		

Dear Sirs

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6  
APPEAL BY MR P CHAN  
APPLICATION NO: 4/0115/93

1. I have been appointed by the Secretary of State for the Environment to determine this appeal against the decision of the Dacorum Borough Council to refuse planning permission for a new front boundary fence at the Brackens, Water End Lane, Potten End. I have considered those representations made directly to the Council which have been forwarded to me. I inspected the site on 20 September 1993.

2. The appeal site is the front garden of a house standing on the eastern side of Potten End, a small village situated in the metropolitan green belt. The fence, which has already been erected, is of close boarded timber construction, about one and a half metres high and extending across the whole frontage of the property, a distance of approximately 45 metres.

3. The Council has refused planning permission on the grounds that the fence is inappropriate development in the green belt and that it causes harm to the character and appearance of the area and to the visual amenity of the green belt.

4. The Dacorum District Plan of 1984 contains policies which seek to restrict inappropriate forms of new development in the green belt. However, the need to alter existing buildings in the green belt is acknowledged in Policy 6 which seeks to ensure that such alterations are visually acceptable. Policy 24 also seeks to minimise the impact of new development on the countryside generally.

5. However, these policies have, to a large extent, been superseded by the Dacorum Borough Local Plan Deposit Draft and



Proposed Modifications which underwent a local plan inquiry in May 1992. This plan again, while seeking to prevent inappropriate development in the green belt, acknowledges the need to alter or extend dwellings and, in doing so, applies environmental and visual criteria to them.

6. From what I have seen and read therefore I consider that the main issues in this case are first, whether, bearing in mind the Council's planning policies, the fence should be regarded as inappropriate development in the green belt and second, whether its visual impact is unacceptably harmful.

7. In Policy 20 of the new Borough Local Plan the Council accepts, in principle, that domestic extensions can, subject to certain criteria, be built in the green belt. This policy can, in my view, be taken as encompassing boundary enclosures like the appeal fence. Clearly, boundary enclosures will need to be built from time to time around existing properties in the green belt as elsewhere and for these reasons I have concluded that the fence should not be regarded as an inappropriate form of development in the terms implied by PPG2.

8. Turning now to the second issue I consider that the fence does have a significant visual impact on its immediate surroundings, specifically the street scene in this part of Water End Road. Here the road is narrow and has the appearance of a country lane. Properties on both sides have large gardens and there are plenty of trees near the roadside.

9. The fence is very long and has been erected in a straight line with no breaks in it except for the entrance. It has been sited along the top of a bank, in front of existing trees in the garden, and with very little space left between the fence and the back edge of a rather narrow footway. It is also new and the timber used is light in colour and this, to my mind, emphasises its impact.

10. On the other hand the fence is well constructed and superior in quality, for example, to the inter woven fence on the opposite side of the road. Moreover, the visual impact of the fence is limited to the area immediately adjoining it, i.e. the frontage of the appeal property itself, the roadside and the frontage of the property opposite it.

11. Nor does the fence look entirely out of place. There are several houses fronting this part of Water End Road and, in the vicinity of the appeal site, as well as looking like a country lane, the road has a slightly suburban character as well.

12. I have, of course, had regard to the advice in PPG2 that proposals for development in the green belt may, by reason of their appearance, be inappropriate. However, I have not been able to conclude that the appearance of this fence is so intrusive or out of character with the area that it should be

deemed inappropriate development or that the degree of visual harm caused is such that the appeal should be dismissed. I have considered the draft landscaping conditions suggested by the Council but, in view of the narrow margin of land left outside the fence, there is little scope for any significant planting.

13. I have taken account of all the other matters raised but none of these has been of sufficient weight to make me change my mind with regard to the main issues.

14. For the above reasons and in exercise of powers transferred to me I hereby allow this appeal and grant planning permission for a new front boundary fence at the Brackens, Water End Road, Potten End, in accordance with the terms of the application (No 4/0115/93) dated 27 January 1993.

15. This letter does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than section 57 of the Town and Country Planning Act 1990.

Yours faithfully

*EB Williams*

E B WILLIAMS  
Inspector