



TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL

Application Ref No. 4/0156/93

Mr T Merritt  
Langley Lodge  
Langley Lodge Lane  
Kings Langley  
Herts

C Parry & Associates  
146 Station Road  
Amersham  
Bucks  
HP6 5DW

DEVELOPMENT ADDRESS AND DESCRIPTION  
=====

Langley Lodge, Langley Lodge Lane, Watford Road Kings Langley

ERECTION OF BOUNDARY WALL

Your application for *full planning permission (householder)* dated 03.02.1993 and received on 08.02.1993 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: 4/0156/93

Date of Decision: 01.04.1993



The proposed boundary wall would be visually harmful to the rural character of the locality.

**NORTHGATE  
DOCUMENT STAMPED  
TO ENSURE DETECTION  
BY SCANNER**



PLANNING DEPARTMENT  
**The Planning Inspectorate**  
 AN EXECUTIVE AGENCY OF THE GOVERNMENT OF GREAT BRITAIN

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

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1) ~~DN~~  
 2) ~~AM~~  
 3) ~~AB~~

Colin Parry & Associates  
 146 Station Road  
 AMERSHAM  
 Bucks  
 HP6 5DW

Your Ref: 524  
 Our Ref: T/APP/A1910/A/93/222608/P5

Date: 29 JUL 1993

Dear Sirs

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6  
 APPEAL BY MR T MERRITT  
 APPLICATION NO: 4/0156/93

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 in respect of an application for the erection of a boundary wall and gates at Langley Lodge, Langley Lodge Lane, Kings Langley. I have considered the written representations made by you and by the Council and also those made by the Kings Langley Parish Council and interested persons including those made directly to the Council and forwarded to me. I inspected the site on 28 June 1993.

2. As indicated in the representations, the gateways including the short curved sections of wall on either side have already been built. Therefore, insofar as the appeal relates to the gateways, it falls to be considered under Section 73A of the Town and Country Planning Act 1990 as amended. Drawing No. 524:1A was submitted subsequent to the lodging of the application and shows amended detailing. It was the amended proposal that was formally considered by the Council and which forms the subject of this appeal.

3. The appeal site is within the Metropolitan Green Belt. Planning Policy Guidance Note No. 2 (PPG2) refers to the five purposes of green belt. Having regard to the general location of the site and the provisions of the Structure Plan, I consider that this area fulfils the purpose of checking the unrestricted sprawl of large built-up areas. PPG2 also refers to the positive role of green belts in providing access to open countryside for the urban population and the need to ensure that development does not injure the visual amenities of the green belt. Bearing in mind that the proposed wall would adjoin sections of a private lane that function either as a bridleway or a public footpath, these are both matters



that need to be taken into account. Also, the site is within an area designated as a landscape conservation area under the terms of Policy 6 of the Structure Plan and Policy 90 of the deposit draft Dacorum Borough Local Plan.

4. Therefore, from my reading of the representations and my inspection of the site and its surroundings I consider that the main issue in this case is whether the wall would be (or is) inappropriate development harmful to the interests of the green belt or the character and appearance of the area and, if so, whether there are any very special circumstances which justify it being regarded as an exception to the presumption against inappropriate development and outweigh the harm.

5. Policy 1 of both the Structure Plan and the Dacorum District Plan and Policy 3 of the deposit draft Borough Local Plan reflect the need for strict control over development in the green belt as set out in PPG2. The District Plan has been superseded for development control purposes by the draft Local Plan; the latter has made substantial progress towards adoption and needs to be accorded due weight. The policies relating to landscape conservation, as referred to in paragraph 3, seek to maintain and enhance the character and appearance of landscape conservation areas. Other policies relate to the quality of new development and the protection and enhancement of the local environment. It is against this background that the proposal and the retention of the existing gateways needs to be assessed.

6. As set out in Policy 3 of the draft Local Plan, there is a presumption against building development in the green belt and only certain specified uses are generally acceptable. This wall needs to be considered on the basis that it would (or does) comprise of new building works in association with a residential use that is unrelated to any rural land use. This use is not one of those listed in Policy 3 of the draft Local Plan or paragraph 13 of PPG2 as one of the exceptions to the very restrictive approach to development in the green belt. Taking all of this into account, it is my view that the subject of this appeal constitutes a form of development that is generally inappropriate in the green belt and that the presumption against such development applies in this case.

7. The eastern section of the wall between the 2 gateways would be adjacent to a narrow section of Langley Lodge Lane and much of this section is closely enclosed by trees and bushes. Although the wall would be lower than the hedge that it would replace, it is my view that a long and solid built structure 2.3 m high and close to the lane would appear oppressive and detrimental to the rural character of the lane.

8. To the west of the West Gate the lane which adjoins the boundary serves as a public footpath and as an access to a number of premises. This section of the lane is more open in character and a number of buildings are situated close to the lane and opposite the appeal site. These buildings include Sunbury Hill Farm and the Barn Workshops which are graded II\* and II respectively on the Statutory List of Buildings of

Special Architectural or Historical Importance. The trees and other vegetation within the appeal site complement the attractive rural character of this section of the lane. Whereas the remnants of the existing chain-link fence are fairly unobtrusive, I consider that the proposed wall would be a prominent feature that would significantly alter the existing balance between built development and soft landscaping and vegetation. While I recognise that some care was taken as regards the amended detailing, I consider that a wall in the position proposed would appear more urban than rural and would cause harm to the rural character of the section of the lane in the vicinity of Sunbury Hill Farm.

9. In making my assessment I have taken into account that walls often form an integral part of the setting of large country houses. However, in this case I consider that the wall would largely be perceived as an entity in its own right. It would dominate the appearance of the lane, and, except in the vicinity of the 2 gateways, the relationship between the wall and the house would not be readily apparent to those using the adjoining sections of the lane. Therefore, I do not consider that the function of the wall would have the effect of helping it to harmonise with its surroundings.

10. Your client has indicated that he is prepared to build the wall back from the boundary line and replant hedges where they would need to be replaced. While the application plan does not show the position of the proposed wall in any detail it does indicate a line very close to the boundary and in a similar position to the existing fence where this remains visible. I consider that a set back to make reasonable provision for a new hedge would constitute a material change to the proposal and, therefore, I regard this suggestion as being outside the scope of the application that is before me.

11. In support of the proposal, a number of reasons have been given setting out the need for the wall. The matters referred to include security, privacy and the creation of a micro-climate within the garden. However, I do not consider that the reasons given, either individually or collectively, amount to very special circumstances which outweigh the strong presumption against inappropriate development in the green belt and the harm that would be caused. Also, I am not convinced that there are not ways that your client could achieve most or all of his objectives without seriously affecting the character of the adjoining lane. While I have had regard to existing features of the area such as the mobile telephone mast and the particular requirements of Langley Lodge, it is my view that the permitting of the wall in the absence of very special circumstances would undermine the policy to protect the area and, therefore, would be likely to cause serious harm to the important green belt function that this area fulfils. I have concluded that the proposal would cause material harm to the rural character and appearance of the area and its purpose and positive role as part of the green belt, contrary to the provisions and purpose of the policies referred to in paragraphs 3 and 5 which seek to protect the green belt and the landscape conservation area.

12. Notwithstanding my conclusions regarding the main lengths of the wall, the 2 gateways merit separate consideration. These are, for the most part, set back from the lane and some trees and other vegetation have been retained on the public side of them. Both of the gateways are fairly close to other development outside of the appeal site and their function in relation to the driveways and main house is readily apparent. Bearing in mind that the gateways are on your client's land and that the Council has indicated that the gateways as constructed do not infringe its requirements as regards sight lines, I do not consider that there is any serious objection to them on the basis of their effect on traffic moving along or manoeuvring on the adjoining private road. I have concluded that the limited visual impact of the 2 gateways is such that they complement and add interest to the rural character of the area; they clearly appear as being appropriately located in relation to their function. In my view, these amount to very special circumstances such that the retention of the gateways is acceptable for green belt policy purposes.

13. I have considered all other matters raised in the representations but find that there is nothing so cogent as to alter the conclusions I have reached. I shall dismiss this appeal as it relates to the main sections of the wall but I shall grant permission for the retention of the 2 gateways.

14. The Council has suggested 4 possible conditions but, bearing in mind that the concern about sight lines as expressed in an internal memorandum relates to the position of the proposed wall, it appears to me that all of these suggested conditions relate to proposed works. Therefore, I do not consider that any conditions are necessary in relation to the limited permission that I shall grant.

15. For the above reasons, and in exercise of powers transferred to me, I hereby dismiss the part of the appeal relating to a proposed boundary wall but allow and grant planning permission for the retention of the East Gate and West Gate including the associated short curved sections of wall in accordance with the terms of the application (No. 4/0156/93) dated 3 February 1993, the application plans (drawing Nos 524:1A and 524:2) and as previously constructed on site.

16. This letter does not convey any approval or consent which may be required under any enactment, byelaw, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

Yours faithfully



NICHOLAS STREET BSc(Hons) DipTP MRTPI  
Inspector