



TOWN AND COUNTRY PLANNING ACT 1990

DACORUM BOROUGH COUNCIL

Application Ref No. 4/1130/91

Mr E & Mrs L Kane
Keepers Cottage
Little Gaddesden
Herts

R N Elderton
Woodridge,
Nettleden Road
Little Gaddesden
HP4 1PP

DEVELOPMENT ADDRESS AND DESCRIPTION
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Keepers Cottage, Little Gaddesden.

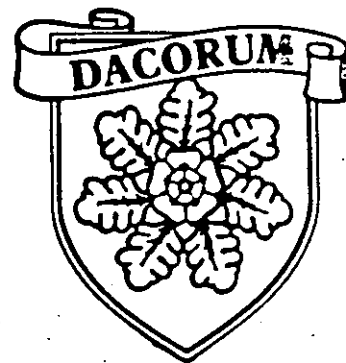
NEW BOUNDARY WALL

Your application for *full planning permission (householder)* dated 02.08.1991 and received on 15.08.1991 has been **REFUSED**, for the reasons set out on the attached sheet(s).

Director of Planning

Date of Decision: 01.11.1991

(ENC Reasons and Notes)



REASONS FOR REFUSAL
OF APPLICATION: 4/1130/91

Date of Decision: 01.11.1991

The proposed boundary wall, by reason of its height and design, would have a seriously detrimental effect on the general character and appearance of this part of the designated Little Gaddesden Conservation Area.



The Planning Inspectorate

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

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1) 12/03
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R N Elderton RIBA DipArch Hons Pnl Your Ref:

Woodridge

Nettleden Road

LITTLE GADDESSEN, DACORUM BOROUGH COUNCIL

Hertfordshire

HP4 1PP

PLANNING DEPARTMENT

Our Ref:

/APP/A1910/A/92/198891/P5

Ack.

ES	TCRM	DR	EC	EC	Admin.	File

23 APR 1992

24 APR 1992

Sir

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY MR & MRS L KANE
APPLICATION NO: 4/1130/91

1. I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal against the decision of Dacorum Borough Council to refuse planning permission for a new boundary wall to replace a fire-destroyed hedge at Keepers Cottage, Little Gaddesden. I have considered the written representations made by you and by the Council and also those by Little Gaddesden Parish Council. I inspected the site on 30 March 1992.

2. It appears that a brick wall has already been built across the front of the plot, though it is not 1.8 m high and is largely hidden from frontal view by a wooden panel fence, with newly-planted conifer hedging. You claim that, by reason of its position inside the boundary, the wall constitutes permitted development. You also suggest that permission has been given, pending the outcome of this appeal, for the wooden fencing, though this is denied by the Council. These matters, however, are not before me and I shall concentrate on the acceptability or otherwise of the proposed 1.8 m high boundary wall, with indented planting bays.

3. Little Gaddesden lies within the Chilterns Area of Outstanding Natural Beauty (AONB), the preservation of which is a prime consideration of the development plan. More generally, Policies 47 and 48 of the approved Structure Plan Review seek to protect and enhance the quality of the built environment and the pattern of open areas within towns and settlements. The appeal site is also within the Little Gaddesden Conservation Area where, according to Policy 109 of the Borough Local Plan Deposit Draft, new developments will be expected to use materials and adopt designs which complement and are traditional to the area.

4. Although full weight cannot yet be accorded to policies of the Draft Plan, the duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 cannot be discounted. Thus, from my inspection of the site and its surroundings and from the representations, I consider that, in the light of the prevailing policies, the main issue for me to determine is whether the proposed wall would preserve or enhance the character or appearance of the Conservation Area.

5. Keepers Cottage is an attractive 2-storey dwelling, which stands amidst a line of properties overlooking an elongated open space, known as The Green. This stretches for about 850 m between Church Road and Hudnall Lane and is an important feature of the Conservation Area. It follows that the boundary treatment of the adjoining housing plots is critical to the character of the Conservation Area.

6. Whilst noting the Council's concern that the wall would obscure from roadside view most of the ground floor of the cottage, I accept your opinion that, in terms of height, it would be compatible with other means of boundary demarcation in the vicinity. You also maintain that the chosen bricks would have a reddish hue to blend with the cottage and that the mass of the wall would be broken by the recessed planted bays. Having provided details of the various hedges, fencing and walls to the south-east of the appeal site, you contend that another length of wall would not be out of place, being less intrusive than the York stone wall bordering Denison House and virtually identical to the recessed wall at No 50, which you state was approved only recently.

7. It is true that, south-eastwards from Keepers Cottage, The Green has a greater mixture of boundary treatment but, even here, about 60% is comprised of hedging, with holly predominating. The section to the north-west of the appeal site, which you do not describe, consists overwhelmingly of tall holly hedging, with only a short break for the War Memorial and a length of metal post and rail fencing in front of a narrow field. In my opinion, this hedging makes a significant and positive contribution to the appearance of The Green and, in conjunction with the fields and parkland opposite, helps retain its attractive rural character. In contrast, the lengths of walling which have infiltrated the scene are of more urban appearance and, though the wall at No 50 does not extend in front of that property, it nevertheless exhibits only too well the incongruous nature of such non-traditional boundary treatment.

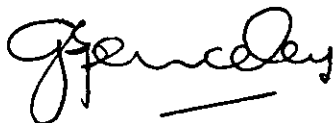
8. I have not been provided with the reasons for the Council's acceptance of the wall at No 50 and, in any event, each proposal must be treated on its individual merits. Any further replacement of the characteristic hedging by hard boundary treatment would, in my opinion, have a seriously adverse effect on the overall nature and composition of The Green. In particular, I consider that the wall proposed by

your clients would not only contravene the policies which I have quoted and be detrimental to the visual quality of the AONB but it would neither preserve nor enhance the character or appearance of the Conservation Area.

9. I have taken into account all the other matters raised in the representations, including your reference to the recent House of Lords' judgement in South Lakeland DC v Secretary of State for the Environment, but find nothing of such weight as to override the considerations which have led to my conclusion.

10. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss this appeal.

I am Sir
Your obedient Servant



G SPENCELEY BSc MPhil DipTP MRTPI
Inspector