

ITEM NUMBER: 5g

21/01961/FHA	Replacement fence and gates.	
Site Address:	Moorings 13 Anglefield Road Berkhamsted Hertfordshire HP4 3JA	
Applicant/Agent:	Mr Alex Verbeek	Mrs Amy Harman
Case Officer:	Heather Edey	
Parish/Ward:	Berkhamsted Town Council	Berkhamsted West
Referral to Committee:	Contrary views of Town Council	

1. RECOMMENDATION

That planning permission be GRANTED.

2. SUMMARY

2.1 The development is considered to be acceptable in principle, in accordance with Policies CS1 and CS4 of the Dacorum Borough Core Strategy (2013). The installed replacement fencing, associated piers and electric gate are considered to be acceptable, noting that these additions are not considered to detract from the character and appearance of the streetscene or surrounding area. Whilst the replacement fencing is considered to be more visually prominent than the existing fencing, (i.e. by reason of its material finish), consideration is given to the fact that the untreated wood finish of this addition would weather over time, therein softening the visual appearance of this addition.

2.2 Given the scale and nature of the development, it is not considered that the replacement fencing, associated piers and electric gate adversely affect the residential amenity of neighbouring properties by way of being visually overbearing or resulting in a significant loss of light or privacy. The development does not involve any changes to the existing parking arrangements or generate the requirement for additional off-street car parking provision. Furthermore, it is not considered that the development adversely affects the safety and operation of the adjacent highway, and as such, no concerns are raised in this regard. The Highways Authority were also consulted in relation to this element of the scheme and raised no objections on highway or pedestrian safety grounds. Given all of the above, the proposal complies with the National Planning Policy Framework (2021), Policies CS1, CS4, CS8, CS11, CS12 and CS29 of the Dacorum Borough Core Strategy (2013), Saved Policies 57-58 and Saved Appendices 3, 5 and 7 of the Local Plan (2004).

3. SITE DESCRIPTION

3.1 The application site comprises a large two storey detached dwellinghouse, with single storey attached garage, situated off Anglefield Road within a designated residential area of Berkhamsted. The property is positioned set back from the highway and sited on ground levels that rise and slope away from Anglefield Road.

3.2 The property originally comprised a single dropped kerb and driveway, with associated front and side wooden fencing, front steps and gate. Under previous planning application 4/01015/19/FHA, consent was granted to regrade and extend the existing driveway and install an additional dropped kerb, to create a new carriageway drive. In order to facilitate these works, consent was also granted under this previous planning consent for the construction of a new retaining wall, fence, steps and gate and for the removal of a number of trees to the front of the site.

4. PROPOSAL

4.1 Whilst carrying out the works approved under application 4/01015/19/FHA, the existing boundary fencing was damaged, and as such, the applicant installed replacement fencing to the

front and side of the site, with associated rendered piers and new electric gate. The replacement fencing has been positioned in the same location as the original fencing, and comprises the same height, (i.e. measuring 1.9m high). Planning permission is sought for the retention of these additions.

5. PLANNING HISTORY

Planning Applications (If Any):

4/01015/19/FHA - Construction of new driveway, dropped kerb to highway, new fence and brick retaining wall and foundation with steps and Gate.

GRA - 5th July 2019

4/01762/12/FHA - Two storey rear extension and small infill to first floor side

GRA - 17th December 2012

Appeals (If Any):

6. CONSTRAINTS

CIL Zone: CIL1

Parish: Berkhamsted CP

RAF Halton and Chenies Zone: Red (10.7m)

RAF Halton and Chenies Zone: RAF HALTON: DOTTED BLACK ZONE

Residential Area (Town/Village): Residential Area in Town Village (Berkhamsted)

Residential Character Area: BCA12

Parking Standards: New Zone 3

EA Source Protection Zone: 3

EA Source Protection Zone: 2

Town: Berkhamsted

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (2021)

Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)

Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies:

NP1 - Supporting Development

CS1 - Distribution of Development

CS4 - The Towns and Large Villages

CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS29 - Sustainable Design and Construction

Supplementary Planning Guidance/Documents:

Accessibility Zones for the Application of Car Parking Standards (2020)
Planning Obligations (2011)
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)
Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

The policy and principle justification for the proposal;
The quality of design and impact on visual amenity;
The impact on residential amenity; and
The impact on highway safety and car parking.

Principle of Development

9.2 The site is situated within a designated residential area of Berkhamsted, wherein Policies CS1 and CS4 of the Dacorum Borough Core Strategy (2013) are relevant. Policy CS1 of the Dacorum Borough Core Strategy (2013) guides new development to towns and large villages, encouraging the construction of new development in these areas. Furthermore, Policy CS4 of the Dacorum Borough Core Strategy (2013) states appropriate residential development is encouraged in residential areas.

9.3 In light of the above policies, the proposed development, (i.e. the retention of replacement fencing, associated piers and electric gate), is acceptable in principle.

Quality of Design / Impact on Visual Amenity

9.4 The NPPF (2021) states that planning policies and decisions should ensure that new development is sympathetic to local character and history, including the surrounding built environment and landscape setting. Furthermore, Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013) seek to ensure that new development respects adjoining properties in terms of layout, scale, height, bulk and materials.

9.5 The site falls within the BCA12: Shootersway Character Appraisal Area wherein front enclosures are considered acceptable, provided they maintain the defined character of the area.

9.6 Planning permission is sought for the retention of the replacement fencing installed to the front and side of the site, and associated render piers and wooden electric gate.

Replacement Fencing

9.7 The Parish Council were consulted on the scheme and initially raised objection to the proposed replacement fencing, considering the new fencing to be an obtrusive addition to the streetscene by reason of its location, scale and height. However, given that the replacement fencing has been positioned in the same location on the site as the original fencing and comprises the same 1.9m

height, (as evident in the comparison photos submitted by the agent under reference Appendix A), the Parish Council have removed their objections to the scheme in this regard.

9.8 Whilst the same in terms of their scale, height and positioning, there are minor design differences between the original and replacement fencing. Whilst both fences are of close boarded timber construction, the original fencing comprised small gaps along the top and was externally finished in dark blue/purple paint. In comparison, the replacement fencing comprises an untreated wood external finish, whilst failing to comprise the small gaps along the top.

9.9 By virtue of its material finish, the replacement fencing is considered to be more visually prominent in the streetscene than the original fencing. The replacement fencing would however weather overtime, therein enabling the fence to appear more in keeping with the untreated wood finish of enclosures within the immediate area, (i.e. as evident at neighbouring properties 8 and 10 Anglefield Road), and softening its visual appearance.

9.10 Whilst the replacement fencing is currently noted to be more visually prominent in the streetscene, (i.e. by reason of its material finish), it is not considered that this addition significantly detracts from the character and appearance of the streetscene. Furthermore, it is not considered that a refusal of the replacement fencing could be sustained in design terms, noting that front enclosures are encouraged within the immediate area and noting that the visual appearance of the replacement fencing would soften overtime as the fence weathers.

Associated Piers and Electric Gate

9.11 The applicant also constructed a new wooden electric gate with associated piers, externally finished in white render.

9.12 Given the scale and positioning of the new piers, (i.e. noting that they comprise a height in keeping with the original fencing), it is not considered that these additions appear overtly prominent or visually overbearing within the streetscene. Furthermore, whilst it is noted that these additions have been externally finished in render, this material finish is considered to be acceptable, noting that it harmonises with the character and appearance of the main house, and is in keeping with the external render finish of neighbouring properties, (i.e. 10 Anglefield Road). Consideration is also given to the fact that similar style piers, (i.e. 1m high piers finished in external render), could be constructed on the site without requiring formal planning consent.

9.13 Whilst removing their objections to the replacement fencing and associated piers, the Parish Council have raised objection to the new electric gate, considering the gate to be a visually intrusive addition to the streetscene.

9.14 Whilst set below the height of the replacement fencing, by reason of its design, the height of the new electric gate increases to just over 1.9m at the centre. Given that the photos submitted in support of the application evidence that the original gate matched the height of the original fencing, (i.e. measuring 1.9m high), the new electric gate measures slightly higher than the original gate.

9.15 Whilst slightly greater in height than the original gate, the new electric gate has been positioned in the same location on the site, set back from the highway and the line of the replacement fencing. Taking this into account, it is not considered that the new gates appear visually overbearing or visually intrusive when viewed within the streetscene. Furthermore, noting that there are examples of similar style gates within the immediate area, (i.e. at Holmedene, 14 Anglefield Road), it is not considered that the new electric gate detracts from the character and appearance of the streetscene.

9.16 Given the above assessment, the replacement fencing, associated piers and electric gate are considered to be acceptable in design terms and in terms of their impact on visual amenity. As such,

these works accord with the NPPF (2021), Policies CS11 and CS12 of the Core Strategy (2013) and the BCA12: Shootersway Character Appraisal Area document.

Impact on Residential Amenity

9.17 The NPPF (2021) outlines the importance of the planning system in securing good standards of amenity for existing and future occupiers. Furthermore, Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013) seek to ensure that new development avoids visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to surrounding properties.

9.18 Given the scale, nature and positioning of the development, it is not considered that the proposal adversely affects the residential amenity of neighbouring properties by being visually overbearing or resulting in a significant loss of light or privacy. As such, no concerns are raised in this regard.

Impact on Highway Safety and Parking

9.19 The NPPF (2021), Policies CS8 and CS12 of the Core Strategy (2013) and Saved Policy 58 of the Local Plan (2004) and the Parking Standards Supplementary Planning Document (2020) all seek to ensure that new development provides safe access and sufficient parking provision for current and future occupiers.

9.20 The proposal does not involve any changes to the existing parking arrangements or generate the requirement for any additional off-street car parking provision to be provided. As such, no concerns are raised in this regard.

9.21 The proposal does not involve any changes to the existing site access. The Highways Authority were however consulted on the proposal, (i.e. given that the development is within close proximity of the adjacent highway), and raised no objection to the works, noting that the new additions 'directly mimic that of previous structures which caused no highway issues.' As such, the development is not considered to generate any highway or pedestrian safety concerns.

Response to Neighbour Comments

9.22 No neighbour comments or objections have been received. The Berkhamsted Citizens Association Townscape Group have however raised the following objections to the scheme:

- ② Impact on Streetscene – the proposed development fails to integrate into the streetscape, creating a solid boundary that was not there before, blocking view of the property which is out of keeping with the character of Anglefield Road.
The retrospective nature of the application

9.23 The developments' impact on the streetscene has been considered in more detail during an earlier section of the report. However, given the scale and nature of the new additions and noting the character of Anglefield Road, (i.e. noting that front enclosures are welcomed in this area), it is not considered that the development detracts from the character and appearance of the streetscene.

9.24 Whilst concerns have been raised to the retrospective nature of the application, this is not a material planning consideration and as such, can not be factored into an assessment of the current scheme. The key issues of consideration to the application relate solely to whether the proposal is acceptable in accordance with national and local planning policy.

10. CONCLUSION

10.1 The application is recommended for approval.

10.2 The development is considered to be acceptable in principle, in accordance with Policies CS1 and CS4 of the Dacorum Borough Core Strategy (2013). The installed replacement fencing, associated piers and electric gate are considered to be acceptable, noting that these additions are not considered to detract from the character and appearance of the streetscene or surrounding area. Whilst the replacement fencing is considered to be more visually prominent than the existing fencing, (i.e. by reason of its material finish), consideration is given to the fact that the untreated wood finish of this addition would weather over time, therein softening the visual appearance of this addition.

10.3 Given the scale and nature of the development, it is not considered that the replacement fencing, associated piers and electric gate adversely affect the residential amenity of neighbouring properties by way of being visually overbearing or resulting in a significant loss of light or privacy. The development does not involve any changes to the existing parking arrangements or generate the requirement for additional off-street car parking provision. Furthermore, it is not considered that the development adversely affects the safety and operation of the adjacent highway, and as such, no concerns are raised in this regard. The Highways Authority were also consulted in relation to this element of the scheme and raised no objections on highway or pedestrian safety grounds. Given all of the above, the proposal complies with the National Planning Policy Framework (2021), Policies CS1, CS4, CS8, CS11, CS12 and CS29 of the Dacorum Borough Core Strategy (2013), Saved Policies 57-58 and Saved Appendices 3, 5 and 7 of the Local Plan (2004).

11. RECOMMENDATION

11.1 It is recommended that planning permission be GRANTED.

Condition(s) and Reason(s):

1. **The development hereby permitted shall begin before the expiration of three years from the date of this permission.**

Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990, as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

2. **The development hereby permitted shall be carried out in accordance with the following approved plans/documents:**

**Location Plan
4648-PO1 Rev E
Planning Statement**

Reason: For the avoidance of doubt and in the interests of proper planning.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Hertfordshire Highways (HCC)	The proposal is for retrospective planning permission for a replacement fence and gates at Moorings, 13 Anglefield Road, Berkhamsted.

	<p>Aglefield Road is a 30mph unclassified local access route that is highway maintainable at public expense.</p> <p>The replacemebt fence and gates have been built in the same location to that of the previous fence and gates but no planning permission has been sought for their construction. Although normally gates are required to be set back 5.5 metres, they're in the same location, (if not further back), than that of the previous gates. Therefore, for this application, HCC Highways would not wish to restrict a grant of permission for this application owing to the new fence and gates directly mimic that of previous structures which caused no highway issues.</p>
Parish/Town Council	<p>Objection</p> <p>The proposed location, style, scale and height of the fencing and gates are obtrusive and are a feature out of character with the surrounding streetscene and is disrespectful to the character of the neighbouring properties. The Committee also requested that the original access is reinstated.</p> <p>CS11, CS12</p>
Parish/Town Council	<p>Objection</p> <p>The previous application approved in 2019 did not mention the proposed large gates to access the driveway. The Committee maintained its objection as the proposals set an unwelcome and obtrusive precedent in an otherwise pleasant streetscene which the Committee wishes to preserve.</p> <p>CS12</p>

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
7	1	0	1	0

Neighbour Responses

Address	Comments
Stonycroft 9 Shrublands Road	I write on behalf of the Berkhamsted Citizens Association Townscape Group, of which I am Chairman.

<p>Berkhamsted Hertfordshire HP4 3HY</p>	<p>The Group wishes to object to this application on two counts:</p> <p>1 The development does not integrate with the streetscape, in that it creates a solid boundary which was not there before and blocks the view of the house, which is rare in Anglefield Road. The Group fails to see why the occupants require such 'privacy and security' in a pleasant and quiet residential road. The trend towards being 'cut off' does not fit with a friendly community; and is not justified in the access statement.</p> <p>2 The application is retrospective.</p> <p>On a general point, the Group does not favour the trend toward large fencing and gates where no safety reasons are given, nor can be justified.</p>
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