

**4/00082/16/FUL - CONSTRUCTION OF TIMBER FENCE ALONG EASTERN BOUNDARY OF WIXIES WOOD..**  
**WIXIES WOOD, MARLIN HILL, HASTOE, HP23 6LW.**  
**APPLICANT: Mr & Mrs Hall.**

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[Case Officer - Thomas Gabriel]

### **Summary**

The application is recommended for approval. The timber fence has already been erected (the application is for the retention of the fence) and has started to weather in appearance. It has an acceptable impact upon the character of the area. Viewed against the backdrop of the trees and vegetation in the adjacent wood, the fence is neither intrusive nor jarring. The impact upon the openness of the Green Belt and the scenic beauty of the Chilterns Area of Outstanding Natural Beauty has been acceptable.

### **Site Description**

The application site is located on the western side of Marlin Hill, and immediately abuts Wixies Wood. The fence starts at a level approximately 300mm above the road (though is set back from the road by over one metre) and due to the hilly nature of the site, rises to a level around 4m above the road (and back from the road by several metres). Many small conifer trees have been planted immediately to the front of the fence which, when more established, would screen it well. Towards the northern end of the site, where the land is raised above the road, there are a number of mature trees to the front of the fence.

There is no public footpath either side of Marlin Hill past the site.

### **Proposal**

The application seeks permission for the retention of a featheredged timber fence. It is 1.8m high and extends the full length of the site.

The fence is required for security purposes to constrain the animals kept within the site and also to keep intruders, vandals and thieves out.

### **Referral to Committee**

The application has been referred to the Development Control Committee as Tring Town Council have recommended refusal of the application.

### **Relevant History**

None.

### **Considerations**

The application site is located within the Green Belt and the Chilterns Area of Outstanding Natural Beauty.

### **Policies**

National Policy Guidance

National Planning Policy Framework (NPPF).  
National Planning Policy Guidance (NPPG)  
Circular 1/2006, 05/2005

### Adopted Core Strategy

NP1 Supporting Development  
CS5 Green Belt  
CS24 Chilterns Area of Outstanding Natural Beauty  
CS26 Green Infrastructure

### Saved Policies of the Dacorum Borough Local Plan

Policy 4 Green Belt  
Policy 97 Chilterns Area of Outstanding Natural Beauty

### **Summary of Representations**

One letter received commenting that the fence is against the appearance of the conservation area and would set a precedent. The fence is more akin to a suburban garden.

Tring Town Council - recommend refusal of this application on the following grounds as the close boarded fence of 1.95m high is contrary to paragraph 115 of the National Planning Policy Framework that calls for 'great weight should be given to conserving landscape and scenic beauty' as it obscures the general view of the woodland in the Chilterns AONB (in an area of woodland, there is no need for a fence). The fence is also contrary to the conservation of wildlife, inhibiting the passages of animals.

Policy D1 in the Chilterns AONB Management Plan 2014-19 sets out that 'The natural beauty of the Chilterns AONB should be conserved and enhanced by encouraging the highest design standards, reinforcing local distinctiveness and respecting the landscape, settlement character and special qualities of the AONB'.

The Chilterns Buildings Design Guide contains advice on boundaries at section 3.90 – 3.94. It advises that "The strong geometric shapes or close board fencing, larchlap or other solid fences, are too dominating and are cumbersome on slopes. They are also prone to wind damage and rot and require regular maintenance to avoid looking tatty and are therefore not appropriate." This advice was prepared for boundaries around new buildings; for more rural surroundings like farmland or woodland, hedging with native species, or possibly at the most, waist high timber picket fencing or post-and-rail fences are considered to be more appropriate boundary treatments.

Chilterns Conservation Board - the fence has a detrimental visual impact on the AONB and presents a barrier to wildlife. Policy D1 of the Chilterns AONB Management Plan 2014- 2019 sets out that the natural beauty of the AONB should be conserved and enhanced by encouraging the highest design standards, reinforcing local distinctiveness and respecting the landscape, settlement character and special qualities of the AONB. The Chilterns Building Design Guide contains advice on boundaries at section 3.90- 3.94. It advises that strong geometric shapes or close board fencing, larchlap or other solid fences are too dominating and cumbersome on

slopes. They are also prone to wind damage and rot and require regular maintenance to avoid looking tatty and are therefore not appropriate. This advice was prepared for boundaries around new buildings, for more rural surroundings like farmland or woodland, hedging with native species, or possibly at the most, waist- high timber picket fencing or post- and- rail fences are likely to be more appropriate boundary treatments.

## **Considerations**

### Principle of development and effect on the character and appearance of the area

The application site is located within the Green Belt and the Chilterns Area of Outstanding Natural Beauty. Policy CS5 of the Core Strategy states small scale development will be permitted within the Green Belt where it has no significant impact upon the character and appearance of the countryside. Policy 4 of the Local Plan states there is a presumption against inappropriate development in the Green Belt. Engineering and other operations will only be allowed where they maintain the openness of the Green Belt. Any development that would injure the visual amenities of the Green Belt will not be allowed. The National Planning Policy Framework re- iterates these policies.

Policy 24 of the Core Strategy states the special qualities of the AONB will be conserved. Policy 97 of the Local Plan states development that seriously detracts from the beauty of the landscape will not be allowed.

The fence has had a certain impact upon the character of the site and the openness and scenic beauty of the Green Belt and the Area of Outstanding Natural Beauty in this location. In this case, however, the effect has been limited: the fence has not had an adverse effect upon the openness and scenic beauty of the area and it is not harmful to the area. The fence has already started to weather and will continue to do so and together with the conifers that have been planted to the front of the fence for its full length, and the established mature trees present, the fence will become well screened and will not be intrusive in the landscape.

Though the Chilterns Building Design Guide states that close board fencing is too dominating and cumbersome on slopes, with appropriate treatment and screening, such fencing need not be visually intrusive or harmful to the character of an area. Paragraph 115 of the National Planning Policy Framework states that great weight should be given to conserving landscape and scenic beauty. With regards to Wixies Wood, though the fencing at the southern end of the site is more visible from the road, given that the land rises up from the road and fence is set back further into the site towards the north, the visual impact is acceptable. The fence is neither dominating nor intrusive in this location and has had an acceptable impact upon the openness and visual amenities of the Green Belt and the scenic beauty of the Chilterns Area of Outstanding Natural. Though of a certain visual impact, the fence has not had a detrimental impact upon the area. The fence is not cumbersome.

The comments regarding the fence being a barrier to wildlife and inhibiting the movement of animals are noted. This can be overcome through the opening of holes along the bottom of the fence to allow the passage of animals. This can be conditioned.

The comments of the objector regarding the fence being more akin to a suburban garden are noted. However, while such a fence is not uncommon in such a location and is less frequently seen in the Green Belt and the Area of Outstanding Natural Beauty, given the nature of the site and the weathering and the screened nature of the fence, its visual impact is considered acceptable. The fence has not had an adverse impact upon the appearance of the area. It is not considered that the grant of permission of this application would set a precedent as each site and application is dealt with on its own merits.

## **Conclusions**

Due to its largely screened and weathered nature, the fence has not had a significant adverse impact upon the openness and visual amenities of the Green Belt or the Chilterns Area of Outstanding Natural Beauty. Viewed against the backdrop of the trees and vegetation in the adjacent wood, the fence is neither intrusive nor cumbersome.

RECOMMENDATION – That planning permission be **GRANTED** for the reasons given above.

- 1 Within one month of the date of this permission, a plan indicating a series of openings and their size to be made in the bottom of the fence shall be submitted to and approved in writing by the Local Planning Authority. These openings shall be inserted within two months of the date of their approval and retained as approved thereafter unless otherwise agreed in writing.**

Reason: To permit the movement of wildlife around and through the fence in the interests of their wellbeing and to accord with Policy CS26 of the Core Strategy.